

Scheme phased in over four years

Clarke orders appraisal of all teachers

By JOHN O'LEARY, HIGHER EDUCATION CORRESPONDENT

TEACHERS in England and Wales will face compulsory appraisal every two years, Kenneth Clarke, the education secretary, announced yesterday in a reversal of government policy that was established only three months ago.

Mr Clarke's decision to abandon the voluntary system established by his predecessor, John MacGregor, will be followed today by further action forcing local education authorities to devote more spending to schools. New measures are also being considered to encourage more schools to opt out of local authority control.

The appraisal scheme will be phased in over four years, with half of the teaching force being assessed by the summer of 1993 and the rest in the following two years. Senior staff will observe teachers in the classroom and then discuss their performance and set achievement targets at interviews.

Appraisal will not be directly linked to pay or disciplinary procedures, but may be taken into account by head

teachers. Individual teachers' targets will be available to chairmen of governors, but their assessments will remain confidential. Head teachers will also be subject to appraisal by local authority or voluntary body appointees.

Mr Clarke's first policy initiative in his new role signalled his intention to restore the Conservatives as the natural custodians of education standards. Labour has led consistently on education in recent opinion polls.

Both parties have identified education as a battleground for the next election. Labour spokesmen are touting the country promoting the party's policy, launched last week, which has compulsory teacher appraisal as a central feature.

Mr Clarke said that he had decided to reverse the decision of Mr MacGregor to make appraisal voluntary because of the low take-up by local authorities and the strength of reaction after the announcement in September. Many authorities had planned only small-scale schemes for volunteers, while 18 had planned none at all.

Mr Clarke has opted for a cut-price system, adding only £1 million a year to the £9 million made available by Mr MacGregor for the voluntary scheme. More of the costs will now fall on the schools, since Mr Clarke expects senior staff to conduct appraisals as part of their normal work, and training to take place outside school hours. Much of the original cost was associated with the payment of temporary staff to cover the absence of appraisers.

Mr Clarke said: "Teachers will welcome this as a strengthening of their professional status and a method of developing their full potential. I am equally sure that all parents will welcome a requirement for the performance of teachers to be appraised regularly."

He emphasised that appraisal was intended to develop the professionalism of teachers and predicted that it would soon be accepted, as it is in other occupations. "If someone is not capable of managing and teaching a class to a required standard, they should be expected to leave the job. There are processes

through which that can be done now, but it is a mistake to think of the introduction of appraisal as aimed mainly at dismissing bad teachers. It is aimed at raising the performance of all teachers. There would be no set national criteria, although methods would need to be compatible between authorities.

Mr Clarke is to consult on the changes before introducing new regulations in Parliament. The interim advisory committee on school teachers' pay and conditions is being asked to consider amendments to conditions of service to oblige teachers to participate.

Teacher unions last night generally welcomed the outline of the scheme, but expressed disappointment at the level of funding. Only the National Association of Schoolmasters and Union of Women Teachers promised direct opposition. The National Union of Teachers and the National Association of Head Teachers welcomed the absence of a direct link between pay, discipline and appraisal.

Jack Straw, Labour's chief education spokesman, also welcomed the decision but said: "Mr Clarke's refusal properly to fund appraisal shows that he has learnt very little about good management practice while at the Department of Health. Labour has promised to implement to full scale the recommendations of the national steering group after pilots last year, at a cost it now puts at £45 million."



Family reunion: Edward May hugging his wife, Barbara, and son, David, at Heathrow airport yesterday

Hostages flood back to UK as Iraq keeps word

By PAUL WILKINSON

THE trickle of British hostages returning from Iraq was turning into a flood last night as President Saddam Hussein appeared to be standing by his promise to release his strategic human shield by Christmas.

Aircraft were shuttling between Baghdad and the West, ferrying scores of expatriates home in time for the holiday season. Among them were many people who had finally broken cover in Kuwait after evading Iraqi troops for more than four months.

More than 100 hostages arrived at Heathrow yesterday. Last night an Iraqi Airways jumbo jet carrying 384 hostages left Baghdad. It was expected to land at Gatwick at 11 pm.

Two other jets, chartered by the British embassy in Iraq, were on standby today at Baghdad airport ready to fly to Kuwait to collect the estimated 440 Britons thought to be in the country, either held by the Iraqi invaders or still in hiding. If events go according to plan, they will be transferred onto a jumbo jet at Baghdad for the flight to Britain, scheduled to leave at 1 pm today.

Britons, still in hiding in Kuwait, are expected to respond to Foreign Office advice broadcast over the BBC World Service to meet at 6 am at the airport today for the flights to Baghdad.

Douglas Hogg, a junior Foreign Office minister, said yesterday: "By the end of the week, we very much hope we will have all of the hostages and detainees out from Iraq and Kuwait. We have been broadcasting on the World Service, encouraging people to come out of hiding because, of course, they might miss the aircraft."

Mr Hogg was at Heathrow to greet some of the 101 Britons on a flight from Frankfurt which had picked up hostages from an American-chartered Iraqi jet ferrying more than 200 foreign nationals from Baghdad.

A British Airways crew member on the Frankfurt flight said: "The relief was enormous. They were just so exuberant and happy. We brought out the champagne

and it was quite a party atmosphere."

One freed hostage, Keith Swaden, aged 34, from Chatham, Kent, said: "It's fantastic to be home. I consider myself to be a very lucky man to be alive here back with my family." He said he spent the whole time hidden in a villa in Kuwait with three friends and were supplied with food by their Filipino maid.

On the flight were six members of the crew of BA flight 149 which was stranded when Iraqi troops invaded Kuwait on August 2.

Graham Sims, from Colchester, Essex, spent his entire captivity at the Sheraton Hotel. "The first three weeks were the worst. We thought we

Official blizzard enquiry

By STAFF REPORTERS

AN OFFICIAL investigation into how the authorities coped with the weekend blizzards was launched last night as MPs joined the chorus of complaints about the disruption.

Malcolm Rifkind, the transport secretary, said he had asked his department to review arrangements for dealing with the sudden onset of severe weather conditions.

As the worst of the weather moved towards the Continent, mopping up operations began. People in the North and Midlands had to contend with flood water on roads, thousands of homes without electricity and roads blocked by abandoned vehicles.

The bad weather caused at least eight deaths over the weekend.

Jaguar is laying off nearly 5,000 workers after snow closed the company's main production plant in Coventry yesterday. Assembly workers

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Rescuees continue, page 3
Letters, page 15

Taste of freedom at the village pub

By BILL FROST

FLUTTERING yellow ribbons were attached to every tree in the garden of the converted 19th-century stable block at Shipbourne in Kent where the freed hostage Edward May returned home with his wife and son yesterday. Silk ribbons had been tied to the door knocker and the aerial on the family car as well.

"It is the best day of my life," said Mrs Barbara May, aged 39, as she clung tightly to her husband's arm. She said the couple's four-month enforced separation had been "like being aboard an emotional roller-coaster." Each day of her husband's captivity, first in Kuwait and then at a chemical plant in northern Iraq, Mrs May sent him long letters. Relatives, friends and neighbours rallied round but it was her son, David, aged 12, who proved the most invaluable supporter. "He would turn off the TV news if it was a depressing item about the Gulf and return to a comedy programme instead. He helped so much," Mr May, aged 44, who works for the United Bank of Kuwait, was

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Soviet Union asks US for food aid

FROM MARTIN FLETCHER IN WASHINGTON

THE Soviet Union said publicly for the first time yesterday that it wanted food aid from its old Cold War adversary, the United States, and the Bush administration signalled help would be given.

Before meeting James Baker, the Secretary of State, in Houston, Edward Shevardnadze, the Soviet foreign minister, admitted his country's "most acute problem" of food shortages. The Soviet Union would "appreciate some food supplies" and "efficient economic co-operation".

Mr Baker told reporters that "as far as humanitarian assistance, food and that sort of thing, I know the president will be very forthcoming with respect to trying to help."

US aid will very likely include the waiving of President Bush of the 1974 Jackson-Vanik legislation, thus extending preferential trading status to the Soviet Union and allowing it to buy US grain on favourable export credit terms. The administration is said to be considering credit guarantees of \$1 billion.

As Mr Baker held out the prospect of aid to Moscow, Mr Bush had a brief meeting with President Landsbergis of Lithuania which was kept as low-profile as possible.

MOSCOW: General Igor Rodionov, a hardliner, was summoned for an urgent meeting with Mr Gorbachev yesterday (Mary Dejevsky writes). It came amid persistent rumours in the Baltic republics that Moscow planned military action.

Protests at home, page 10

Peer's £118m will may sidestep the taxman

By ALAN HAMILTON

ENOUGH money to buy 50 Challenger tanks, or build half a frigate, or pay almost the entire overtime bill of the Metropolitan Police for a year, may have just slipped through the fingers of the Inland Revenue.

The will of the 6th Marquess of Cholmondeley, published yesterday, has disclosed that he left £118,221,949 net (£119,847,956 gross), the highest will ever proved in the United Kingdom.

Tax experts agreed, however, that the government was unlikely to get its hands on more than a minute fraction of it.

Lord Cholmondeley, who died in March aged 70, held the ceremonial post of Lord Great Chamberlain, responsible for looking after parts of the Palace of Westminster. His wealth came from land in Cheshire and Norfolk, and the key to his estate is Houghton Hall, the

family seat near Kings Lynn built in the 18th century for Sir Robert Walpole, Britain's first recognised prime minister.

In his will, the marquess directed that his personal chattels be held on trust and "used by his lineal descendants who succeed to the Marquisate of Cholmondeley". The remainder of his estate, including any undisposed of chattels, were bequeathed to his son, the 7th marquess. Staff at the family's other house, Cholmondeley Castle, near Malpas, Cheshire, said yesterday that the 30-year old inheritor of the title and estate was abroad, and not available for comment.

Solicitors representing the family confirmed last night that the bulk of the estate was represented by Houghton Hall, which is open to the public and contains an impressive collection of works of art and artefacts. Houghton, designed by the architect Colin Camp-



Lord Cholmondeley: £118 million will

bell, is regarded as the most complete and sumptuous Palladian house in England, and is set in 4,000 acres.

The Inland Revenue said yesterday that the peer's estate would be examined for liability to inheritance tax. After the first £128,000, which is tax-free, the rest of any estate can be liable to taxation at 40 per cent, which in this case would net the Treasury about £50 million. There were, however, a number of reliefs, including business, agricultural or hereditary property, a spokesman said.

Tax experts forecast last night that the peer's estate would escape most tax, as Houghton Hall would be classed as a heritage property under legislation first introduced in 1975 by the Labour chancellor, Denis Healey. David Rothenberg, of the City accountants Blick Rothenberg, said yesterday: "They will probably escape tax if Houghton stays in the family."

INSIDE

15% pay deal for Peugeot

More than 4,000 Midland car workers at Peugeot Talbot have been offered pay rises worth up to 15 per cent.

This award appears to fly in the face of government appeals that employers and unions must curb wage-led inflation if Britain is to avoid job losses. Page 22

DeFreitas call



Phillip DeFreitas, the Lancashire all-rounder, is to join the England cricket squad in Australia. He flies out today because of concern over Gladstone Small, who has a thigh injury. Page 42

Government list

Today we publish a complete list of all the members of John Major's government. Page 4

Trade initiative

The prime minister is to use his forthcoming talks with European leaders and President Bush to pave the way for progress in the collapsed world trade talks. MPs were told. Page 9

Tyminski held

Stanislaw Tyminski, the emigre businessman who contested the Polish presidential election has been ordered not to leave the country until defamation charges have been investigated. Page 10

Sales fall

Retail sales dropped another half per cent last month increasing fears that retailers will end a lean year with a poor Christmas. The pound suffered a fall on rumours that base rates may have to be cut soon. Page 23

Engineers' list

A full list of newly qualified Chartered Engineers and Incorporated Engineers is published today. Page 27

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Waldegrave pressed to end strikes at top-security hospitals

By QUENTIN COWDRY, HOME AFFAIRS CORRESPONDENT

WILLIAM Waldegrave, the health secretary, was under pressure yesterday to attempt to end the strikes at the Rampton and Ashworth top-security hospitals that have led to scores of severely mentally disturbed patients being locked in their rooms.

As the hospitals braced themselves for a third day of strike action, the mental health organisation Mind, said that the disruption could drive some patients to suicide and set back the recovery of many others. One patient has killed himself since the action began on Saturday.

Ros Hepplewhite, Mind's director, called on the minister to intervene in the dispute between the Prison Officers' Association (POA) and the Special Hospitals Service Authority, which manages the institutions, and said: "I fear that for many patients the consequences will be seen in further drastic infringements of their civil liberties and, for some, a devastating and profound deterioration in their mental health."

Last night, the authority was still considering a union

peace package. The union says it will call off the strikes if the management submits its proposal to end staff travel-to-work allowances to genuine negotiations and reinstates three suspended nurses.

The ostensible cause of the dispute is the management's determination to phase out travel-to-work allowances. Informed observers see the confrontation as more of a trial of strength between the union and the authority, which took over the running of the Rampton, Ashworth and Broadmoor hospitals last year.

The union, which represents about 60 per cent of the authority's 3,300 staff including most of its nurses, has never overcome its initial suspicion that the new employer was intent on breaking its power. The authority sought to allay these fears by drawing up a new negotiating agreement with the POA, but the doubts persisted.

Staff at the special hospitals, containing some 1,700 patients defined as criminally insane, perform an awkward dual role, acting both as nurses and as warders. Up until

about 1980, the accent was firmly on simply containing patients, but over the past decade the emphasis has switched to providing therapy — a move that some prison officers have opposed.

The new management has clearly signalled that it wants to accelerate the trend towards a more relaxed, constructive regime. All nurses nowadays in the institutions are fully qualified and registered with the National Health Service. In spite of this, most remain fiercely loyal to the POA.

Bridget Sampson, POA branch secretary at Broadmoor hospital, at Crowthorne, Berkshire, said that nurses were deeply aggrieved that the authority was seeking to phase out travel allowances without negotiation. Mike Swinerton, the authority's personnel manager, said yesterday that the allowance could no longer be justified because there was no longer a recruitment problem. Their nurses, who received £2,050 a year extra for working in a dangerous environment, were among the best paid within the NHS.



Crash death: the crushed wreckage of a car in which a woman passenger died but from which two young children, including a two-week old baby, escaped without serious injury. The car was hit by a train yesterday on an unmanned level crossing at Cosworth, near Newquay, Cornwall. The woman driver was taken to hospital in Truro, where the two children are being treated for head injuries. Their condition is said to be satisfactory. The

car, a red Volvo estate, was pushed 30 yards down the track before the train came to a halt. There were no passengers in the train but the driver and co-driver were taken to hospital suffering from shock. The occupants of the car had to be cut out by firemen. Police believe that the accident may have been caused by bright sunlight, which could have prevented the car driver from seeing red warning lights on the crossing.

Coroner attacks lack of juvenile remand centres

By OUR HOME AFFAIRS CORRESPONDENT

THE lack of special remand centres for juveniles was strongly criticised by a coroner yesterday after a jury returned an open verdict on a schoolboy found hanged in a cell at Swansea jail in July.

Richard Morgan, the Glamorgan coroner, said: "The saddest fact is that there was just nowhere else for this boy to go. That seems to be the nub of the tragedy. It is simply lack of resources."

His comments will embarrass ministers who have been under pressure for years to bar all juveniles from being remanded to adult jails and remand centres. Earlier this year they decided to tackle the problem by extending the network of council-run juvenile secure units. An announcement on increased funding, which has led to a dispute between the Home Office and the health department, is expected shortly.

Phillip Knight, aged 15, was remanded in custody accused of stealing a handbag. Magistrates sent him to Swansea jail after hearing that there were no juvenile secure units in Wales and that he had tried to escape from children's homes 11 times.

An open verdict was returned after the coroner said that the boy's death had not been due to lack of care by prison staff. Mr Morgan told the jury that the only other possible verdict was suicide.

Three social workers and a

probation officer told the inquest that they were concerned about the boy being held in prison and feared that he might try to kill himself. He had slashed his wrists twice previously. Prison staff, however, said that they saw nothing in his mood to indicate that he might take his life. Dr Russell Jones, the prison's doctor, described the wrist-slashing as an "expression of resentment and anger".

Charles Erickson, the jail's governor, agreed that an adult prison was not a suitable place for a schoolboy, but said that no other secure accommodation could be found.

The boy was taken into care in June 1989 after his adoptive parents decided that they could no longer tolerate his unruly behaviour. They did not attend the inquest.

Penal reformers urged the government to abolish the practice of remanding juveniles to adult jails. Deborah Coles, of Inquest, a voluntary group that investigates suspicious deaths in custody, said: "Support and trained specialist help at a secure unit should have been available to him instead of him being kept in a place where you are locked up for 23 hours a day." The criminal justice bill, now in the Commons, proposes abolishing custodial remands for boys aged 14. Courts are already barred from sending girls to adult jails.

SFO drops enquiry into miners' funds

By TIM JONES, EMPLOYMENT CORRESPONDENT

THE Serious Fraud Office has decided not to pursue investigations into allegations that £1.4 million donated by Soviet miners during the national pit strike five years ago was misdirected by Arthur Scargill, president of the National Union of Mineworkers.

The Times reported three months ago that because of the passage of time, lack of evidence and questions of jurisdiction, fraud squad officers had decided the investigation would not succeed.

Yesterday a spokesman for the SFO said: "We have received the results of the Metropolitan police investigation and we have advised them that the case does not fall within our statutory criteria."

Making the decision to call off the investigation, the police are understood to have identified two key areas which made it unlikely any action could be pursued over the handling of the union's finances during the strike.

The first was that the National Union of Mineworkers never made an official complaint and the second was based on questions of jurisdiction. The fact that money collected by Soviet and other Eastern European miners was paid into a Dublin account controlled by the Paris-based

International Miners Organisation posed serious difficulties for an enquiry by British police.

As a result of the claims, a four-man NUM team which visited Paris and the Soviet Union arrived at a compromise deal that resulted in the NUM receiving a "donation" of £740,000.

Mr Scargill still faces legal action from the trade union certification officer for alleged failure to keep proper accounts.

Cook denies bid for leadership

Robin Cook, the shadow health secretary, denied yesterday that he was preparing to bid for the leadership of the Labour party. He issued a statement declaring that there was no vacancy and that the only post he was interested in was that of health secretary in a Labour government.

Mr Cook's action was in response to weekend reports linking him with gossip that Neil Kinnock might face pressure to stand down before the next election. For most Labour MPs there is no question at all over Mr Kinnock's position. Yet this has not prevented speculation appearing in some newspapers.

Gold returns

Charles Haughey, the Irish prime minister, said last night that a Bronze Age gold collection due to be sold for the Duke of Northumberland at Sotheby's on Thursday was to be returned to Ireland after negotiations; it will be shown in the National Museum. He threatened legal action last month for the return of a gold collar, which Irish authorities said had been taken from the country illegally.

Case delayed

Bad weather hit the Sonia Sutcliffe libel trial yesterday when a Midlands juror was unable to reach the High Court in London. The hearing resumes today with Mrs Sutcliffe, of Heaton, Bradford, seeking damages over a *New of the World* story in December 1988 accusing her of having an affair with George Papadimitis, a Greek tour operator. Libel is denied.

Tests on Imbert

Sir Peter Imbert, the commissioner of the Metropolitan police, underwent medical tests yesterday at St Thomas's hospital in London. He had been taken there at the weekend after experiencing breathing difficulties. Yesterday the condition of Sir Peter, who suffered a series of heart attacks in October, was described as comfortable.

CORRECTION

The telephone number for King's England Press, publisher of the Arthur Mee county guides, was wrongly given in Saturday's paper. The correct number is: 0225-722529.

Legal brief, page 34

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Bandsman tells inquest how bomb threw him through the air

By RAY CLANCY

A BANDSMAN who survived the worst terrorist attack on mainland Britain yesterday described how he flew through the air when a bomb exploded at the Royal Marines School of Music at Deal, Kent.

Corporal Robert Graham, who suffered shock and perforated eardrums in the blast in which 11 colleagues died, then picked himself up and despite his injuries dug in the rubble with his hands to try to rescue his friends. He told the inquest into the deaths that it had been an ordinary day before the explosion at 8.26am on Friday, September 22, 1989.

He described how about 25 marines gathered as usual in the former instruction room which was used for recreation. They were changing into their uniforms ready for band duty, chatting and drinking coffee. Minutes before the

bomb exploded he had been standing in the middle of the room when "for some unknown reason" he walked out into the foyer where he was studying a notice board when there was "an almighty explosion".

Looking tense, Corporal Graham graphically described the force of the blast: "The wall I was looking at looked as if it was a sheet that was rippling in front of me. I was being blown forward and down at the same time. I tried to straighten myself up but couldn't. I never reached the wall I was just moving towards it."

He then found himself outside the building on top of the rubble with colleagues buried all around him. "You had an amazing escape," Richard Sturt, the East Kent coroner, told him. Corporal Graham, who is still stationed at Deal, said he was probably saved by the wall which fell away from

him rather than on top of him. "I was moving with the force. Nothing came down on top of me, nothing fell on my head. I got up and turned round. There was nothing there."

He then described how he was taken away from the scene of the explosion by another marine but he went back and joined the rescue operation. "When people arrived I tried to direct them to show where people were buried under the rubble so that they would not be digging in the wrong place. I was trying to point them in the right direction."

Another bandsman, musician Michael Cole, whose right hand was bandaged, described how he was buried underneath rubble, saw a glimmer of light and managed to free one of his arms. "I was flat on my back. I woke up a lot later underneath the ceiling. I saw a

glimmer of light and using both my arms I managed to claw away the rubble from behind my head. I managed to get one of my arms out of the rubble. I could hear people above. I could hear them pulling me out of the rubble. They carried me to the side of the parade ground and I was laid on the grass."

By the end of its first day the inquest had heard details of the cause of death of seven of the bandsmen. Corporal Trevor Davis, aged 39, musician Richard Jones, 27, Corporal Dean Pavey, 31, Corporal Andrew Cleathorne, 25, musician Richard Fice, 22, and musician Timothy Reeves, 24, all died instantly from severe blast injuries. Musician Robert Simmonds, 34, was pulled from the rubble alive but died in Buckland Hospital, Dover.

Musician Fice, who was probably sitting on the sofa where the

bomb was hidden and was blown onto the roof of the building by the force of the blast, was the most severely injured. Mr Sturt said his injuries, a fractured skull, neck, ribs and spine and gross mutilations, were the worst he had ever seen. "He would never have survived even for a split second."

The inquest, being held in Dover, also heard that dozens of bandsmen escaped injury because they were given a lie-in by John Ware, the school's director of music. In his opening remarks Mr Sturt said that normally up to 70 bandsmen would have been packed into the recreation room, known as the Coffee Bar, but on that particular Friday there were only 25 because most of the bandsmen had had a late engagement the previous evening and were given a lie-in. Mr Sturt told the jury that 11 bandsmen died,

nine instantly, one later the same day in hospital and another three weeks after the explosion. Mr Sturt drew the jury's attention to questions about security at the barracks. He said a civilian security firm, Reliance, was employed after a commando unit left the barracks nine years ago. A small number of non-bandsmen marines remained to help with security. "Both undertook regular patrols but there was no comprehensive perimeter fencing," Mr Sturt said.

Mr Sturt also indicated that it was possible to see right into the instruction room where the bomb was placed from the upstairs windows of houses in an adjoining road to the barracks. He said that one house, No 17 Campbell Road, had been rented by a young man who spoke with an Irish accent, and who had never been traced. The inquest continues today.



Sturt yesterday: "Injuries worst I have seen"

Disruption continues but snow moves to Continent

By DAVID YOUNG

POWER cuts, road blockages and school closures greeted Britain yesterday after its first weekend of heavy snow in December for ten years. The bad weather caused at least eight deaths as rescue services were hampered by the extreme conditions.

The London Weather Centre, which had earlier predicted that the snow could spread to the South from the badly-hit Midlands, northern and western areas, has said that milder conditions are on the way.

The worst of the weather has moved towards the Continent. Heavy snow fell in France, Spain, Italy, Switzerland, Germany and Austria, halting traffic and leaving thousands without electricity. Heavy rains and wind in southern Europe closed ferry services and flooded Venice.

Small towns in Spain were cut off by snow. Snow fell in Paris, and roads were closed in south-eastern and central France. The Mont Blanc tunnel through the Alps was

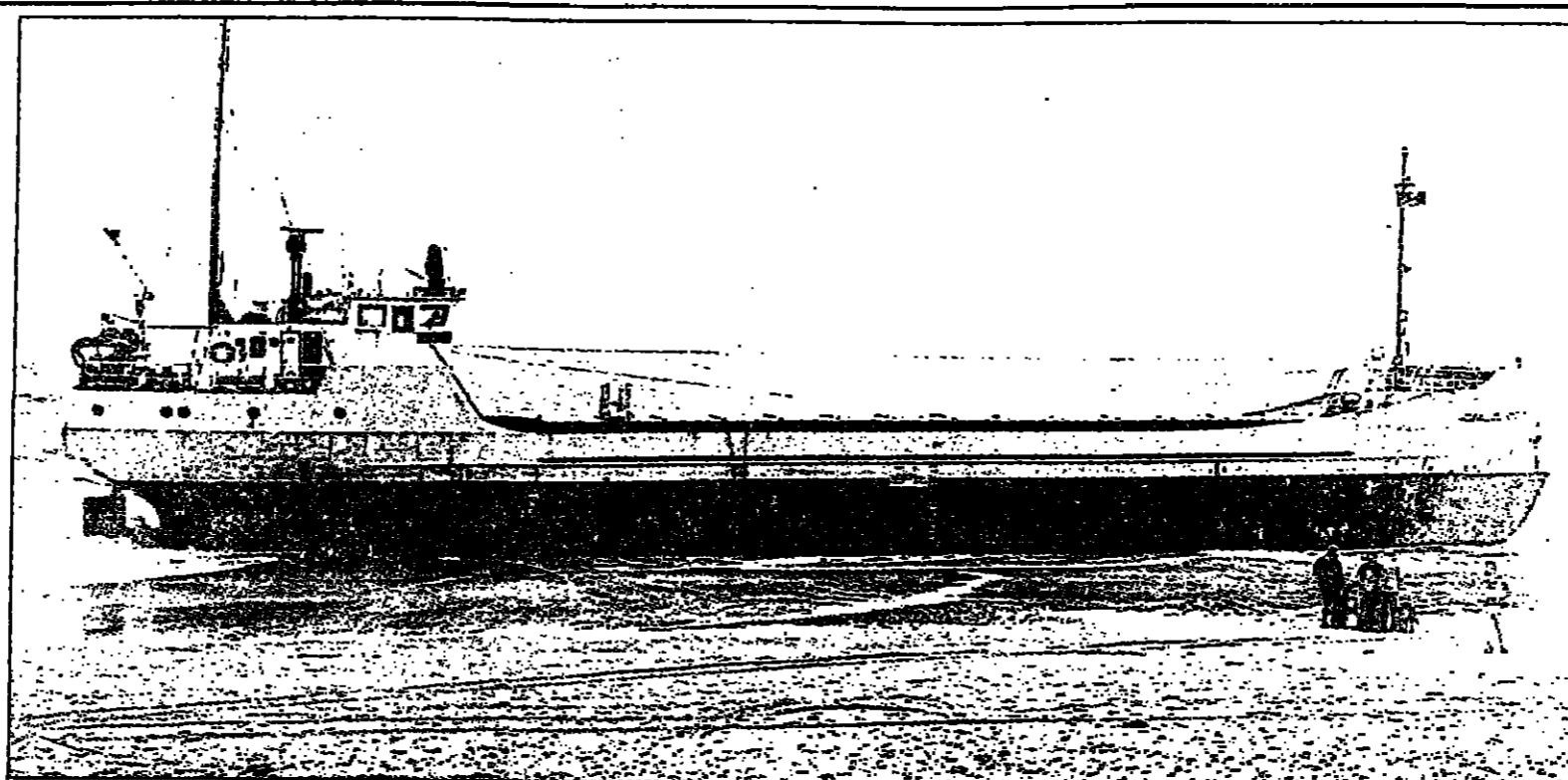
closed. Rain falling on the French Riviera flooded basements and the Nice Opera on the fashionable Promenade des Anglais.

Zermatt, in southern Switzerland, reported 36 in of snow in 24 hours.

Schools in Turin were closed as northern Italy dug out from its first pre-Christmas snow since 1964. Snow fell on Mount Vesuvius and the island of Ischia in the Bay of Naples. Wind-driven seas flooded Venice.

In Britain, the AA warned drivers of the dangers of hard-packed snow and black ice and urged commuters to share cars if they had to drive at all in affected areas. Roads remained closed in Scotland, Gloucestershire, Cheshire, Derbyshire and the North-East.

Schools in Derbyshire, Nottinghamshire, Warwickshire, Staffordshire, Shropshire, and Hereford and Worcester were closed and in the East Midlands workers were trying to restore power to thousands of



Stranded: the 500-ton coaster Candour on the beach at Caister, Norfolk, yesterday after being driven ashore by gales

homes cut off during the snowstorms.

Householders in the Midlands were the worst hit. The Nottingham-based East Midlands electricity company said that 300,000 customers were without supply. Some isolated communities in Warwickshire and Derbyshire whose electricity has been cut off since the weekend were warned that it could take until the end of the week to restore it.

The weekend storms have snapped the thick poles carrying the supply, leaving a long reconnection task. A spokesman said that, at the peak of the storm, 500,000 customers in the East Midlands were cut off.

In the West Midlands, about 45,000 customers were still cut off in the Worcester, Shropshire and Hereford areas. There were also about 9,000 cut off in the south Birmingham area. In Wales, 3,500 were cut off in the rural areas of Clwyd and Gwynedd.

Peter Walker, the former energy secretary, criticised electricity companies for keeping the public in the dark about weekend power cuts. He accused the Midlands electricity board of not providing enough information.

Mr Walker, Conservative MP for Worcester, was among the 100,000 people in the area who suffered power cuts. He and his family had to put on extra clothing and find their way about with torches.

In Yorkshire, about 400 people were still without electricity, and Yorkshire Water customers in Leeds were having to draw supplies from emergency tankers. The Severn-Trent water company warned most of its 8.25 million customers to boil water for the next few days. A spokeswoman said that only people living in Birmingham, Worcester and Gloucester could rely on the water quality, because supplies there had not been interrupted. She said that about 250,000 homes were still without water, including 80,000 at Telford, Shropshire, and 100,000 at Nuneaton, Warwickshire.

While the icy weather swept southwards yesterday into Kent, Essex and East Anglia, British Rail reported that InterCity services were running normally.

An RAF helicopter airlifted 12 stranded guides and brownies from an old school used as a hostel at Great Alne, near Stratford-on-Avon, Warwick-

shire, where they had been cut off by snow since Saturday morning. The RAF was first called in on Sunday to drop blankets and warm clothes to the children, and a Wessex helicopter finished the job yesterday by airlifting the girls from Great Alne to their homes at Nuneaton.

Piers Corby, who runs the London-based forecasting company Weatherplan Services, said that he had given a warning in July of snow storms in Britain this month. He also predicted that recurring snow and freezing conditions would continue throughout December. He stands to win £1,000 if a White Christmas bet that he placed in July comes up.

The snow caused hundreds of computer networks to crash as power lines went down in

the weekend blizzards. Some systems lost reams of information when electronic "spikes" operated within the computers, the Association of Professional Computer Consultants said.

Howard Stevenson, the farmer who is recovering in hospital at Harrogate after spending 27 hours in a snow igloo, has been told that the pet dog that he was trying to find in the snow has turned up safe at a neighbouring farm.

Ken Sampson, a headmaster who has been without water and electricity since Friday, had two letters delivered yesterday: his water and electricity bills.

A woman gave birth in the back of a car after it became trapped in a drift at the village of Emley, near Huddersfield. A cleaner from a nearby hotel

helped to deliver the child after the woman's husband had gone to call for an ambulance.

Philip Hurd, the seven-year-old son of Douglas Hurd, the foreign secretary, was released from the John Radcliffe hospital, in Oxford, yesterday after being flown home with suspected appendicitis.

Antoine Fortain, a 39-year-old French lorry driver, was fined £600 and banned from driving in Britain for three years by magistrates at Bradford yesterday. Police had stopped him as he drove his truck through the snow after he had stopped at a public house to telephone his employer and stayed for a few drinks, the court was told. He admitted driving with excess alcohol.

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Traders in Ulster yield to IRA order

By RICHARD FORD
POLITICAL CORRESPONDENT

FOUR small businesses in Northern Ireland have been forced to announce publicly that they will stop serving members of the security forces after being threatened by the Provisional IRA.

The businesses, two owned by Roman Catholics and two by Protestants, placed advertisements in a newspaper in Co Fermanagh saying they would not deal with members of the Royal Ulster Constabulary, Ulster Defence Regiment and regular army.

Calling for an emergency debate in the Commons yesterday, the Rev Ien Paisley, leader of the Democratic Unionist party, said the businessmen had been forced under threats from the IRA to say they would not serve members of the security forces. He said if the advertisements had appeared in Great Britain there would be a furore in the Commons.

The advertisements appeared in the public notices page of the Enniskillen newspaper *Impartial Reporter*. Denis McDaniel, the editor, said: "They are the first such insertions we have had. It is certainly blatant intimidation. We have had very little of this sort of thing in Fermanagh although we have heard of a lot around Belfast and Derry."

The Provisional IRA has used similar tactics against contractors working for the security forces and has killed people working for companies that ignored the threats.



Saved: guides and brownies airlifted from a snowbound hostel at Great Alne, near Stratford-upon-Avon, Warwickshire, leaving an RAF Wessex helicopter yesterday

GPs found guilty of misconduct

TWO family doctors who asked pharmaceutical companies for payment before agreeing to check whether they had prescribed potentially dangerous drugs were found guilty yesterday of serious professional misconduct.

Dr Timothy Timberlake, aged 47, and Dr John Blackmore, aged 48, asked for a £225 fee for checking to see if they had handled the infertility drug and a further £100 to tell patients if they had prescribed it at their practice in West Moors, Wimbome, Dorset. They denied serious professional misconduct and said that they had asked for the money "to protect resources for their patients".

The General Medical Council's professional conduct committee in London ruled that the two doctors' registration should be suspended for three months, pending any appeal. The doctors were found not guilty of serious professional misconduct over a letter offering to distribute communications to selected patients for commercial organisations.

Rise and rise of the CD leads to boom for classical music

By SIMON TAIT, ARTS CORRESPONDENT

CLASSICAL music is booming, thanks to the rise of the compact disc and unprecedented marketing by recording companies, according to the latest *Cultural Trends* survey of the arts by the Policy Studies Institute, published today.

The report shows that, in the first six months of this year, compact discs accounted for more than half of classical recordings, and classical music increased its share of all recordings from 8 per cent over the same period in 1989 to 11 per cent this year.

"1990 has been an exceptional year for classical music recordings," the report says. Sophisticated marketing has also boosted its popularity.

The compact disc trade began in 1985 with 3.1 million units and registered 41.7 million in 1989, overtaking long-playing records (down from 53 million to 37.9 over the same period)

for the first time. Cassettes increased from 55.4 million to 83 million. Of the CDs bought by under-35s in 1988-9, 28 per cent were classical and, for 35-54 age group, 46 per cent of CD sales were of classical music.

The televised performance by Nigel Kennedy the violinist of Vivaldi's *Four Seasons* helped his recording of the work achieve sales of more than 650,000 by September.

Luciano Pavarotti's rendition of "Nessun Dorma" from Puccini's opera *Turandot* as the theme for World Cup broadcasts in the summer also gave classical music an unaccustomed pop chart boost. The recording of operatic highlights by Pavarotti, Carreras and Domingo actually reached number one in the album charts in September.

Britons have still some way to go before they match the appreciation of classical musical displayed by the rest

of Europe. The *British Phonographic Industry Year Book* says: "If the level of classical music sales in the UK is to rise to the levels of between 13 and 18 per cent seen in some European countries, penetration has to be in the younger groups."

"This is obviously a function of education and exposure but, with constantly diminishing expenditure on music education in schools and with virtually no classical music radio (radio 3 has a small audience) the chances of increasing the younger audience for recorded classical music remain firmly in the hands of the marketing departments for classical music labels."

London's four main symphony orchestras have also been able to cash in on the CD boom. In 1988/9 the orchestras earned £4.5 million from recordings.

Cultural Trends (Policy Studies Institute; £9.95)

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 Lord Privy Seal and Leader of the House of Lords
 Home Secretary
 Chancellor of the Exchequer
 Secretary of State for the Environment
 Secretary of State for Defence
 Secretary of State for Education and Science
 Lord President of the Council and Leader of the Commons
 Secretary of State for Transport
 Secretary of State for Energy
 Secretary of State for Social Security
 Chancellor of the Duchy of Lancaster
 Secretary of State for Northern Ireland
 Minister of Agriculture, Fisheries and Food
 Secretary of State for Employment
 Secretary of State for Wales
 Secretary of State for Trade and Industry
 Secretary of State for Health
 Secretary of State for Scotland
 Chief Secretary to the Treasury

John Major

Lord Mackay of Clashfern
Douglas Hurd

Lord Waddington

Kenneth Baker
Norman Lamont
Michael Heseltine

Tom King

Kenneth Clarke

John MacGregor

Malcolm Rifkind

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Tony Newton

Chris Patten

Peter Brooke

John Gummer

Michael Howard

David Hunt

Peter Lilley

William Waldegrave

Ian Lang

David Meller

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 Minister
 Minister of State
 Parliamentary Secretaries

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 Lady Trumpington
 David Maclean
 David Curry

Arts and Libraries, Office of
 Minister for the Arts

Tim Renton

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 Minister of State for Defence
 Procurement
 Minister of State for the
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 Under Secretary of State for
 Defence Procurement
 Under Secretary of State
 for the Armed Forces

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 Alan Clark
 Archie Hamilton
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 Paymaster General
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 Brian Mawhinney
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 and Leader of the Commons
 Lord Privy Seal and Leader
 of the House of Lords
 Minister of State and Minister
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 Treasury (Government
 Chief Whip)
 Treasurer of Her Majesty's
 Household (Deputy Chief
 Whip)
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 Vice Chamberlain
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Richard Ryder
 Alastair Goodlad
 David Lightbown
 John Taylor
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 Tom Sackville
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 Irvine Pataack
 Timothy Wood
 Neil Hamilton
 Timothy Roswell
 Timothy Kirkhope
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 (Government Chief Whip)
 Captain, Yeomen of the
 Guard (Deputy Chief Whip)
 Lords in Waiting (Whips)

Lord Denham
 Viscount Davidson
 Viscount Long
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 The Earl of Strathmore and
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 Lord Cavendish of Furness
 Viscount Astor

Second Church Estates
 Commissioner, representing
 Church Commissioners

Michael Allison

Poll tax review set to help hardest-hit first

By DOUGLAS BROOM, LOCAL GOVERNMENT CORRESPONDENT

SHORT-term measures to give more help to those hardest hit by the poll tax are likely to be the first fruits of the government's review of the charge.

Michael Heseltine, the environment secretary, is expected to announce today that the review will be headed by Roger Bright, who is the head of information at the environment department.

Government advisers and senior civil servants are already working on interim measures to help to reduce next year's poll tax bills. With the prospect of a general election next year, ministers are keen to lessen some of the injustices of the present system before they go to the polls.

What has emerged so far is a preference for improving the transitional relief scheme, which helps households whose combined poll tax bill is much larger than their old rates bill. The scheme covers anyone whose poll tax is £3 a week more than their rates. Under plans already announced it will be extended in April to cover those paying £2 a week more, at a cost of £570 million.

The scheme has been criticised for raising false expectations because the poll tax figure used to calculate eligibility is a notional figure produced by the department rather than the actual tax levied by each council. It is,

however, simple to administer, being deducted from bills at source, and has helped 7.5 million adults this year, 500,000 of them over retirement age. Next year 12 million of the 37 million charge payers in England will benefit.

The measure is also cheap. It would be possible to increase the number of people benefiting from the scheme from a third to nearly a half of all charge payers by spending an extra £500 million. By contrast it would cost £1 billion to reduce average poll tax bills by £28 by giving extra central grant to councils. That option, and improvements to poll tax benefits that help those on income support, appear close to being ruled out altogether.

Any interim measures will require the approval of the

cabinet's local government sub-committee. Longer-term reforms will be considered by another cabinet group, chaired by the prime minister, which will sit once firm proposals have been produced by the civil service review team.

Mr Heseltine has said that it might take up to two years to complete the poll tax review, but a senior source said yesterday: "We recognise that the government does not have that sort of time. Councils discuss their budgets in January and set them in February. We have got to bring something forward by the middle of January. The longer term is not all that long either."

The source said that if there was to be a June election, firm proposals would have to be ready for the manifesto. "The great thing about transitional relief is that it is a system designed to get specifically to the people who feel hard done by under the poll tax. To be frank, those people on benefits are not our voters anyway."

"The people we have alienated are the people who were paying £100 in rates and now suddenly find themselves paying £700 or more in community charge. These people are not well off and they deserve some help."

David Blunkett, Labour's local government spokesman, said: "We welcome any measures which provide relief from the pain of the poll tax, but this scheme is very limited in its effects and will help far fewer people than the government are claiming."

"The fact that the relief is calculated on a maximum of two notional poll tax bills per household and that people lose relief if they move house means that any extra help given will be extremely limited."

Mr Blunkett said that under the existing relief scheme a family of four adults whose rates bill of £350 a year had been replaced by a poll tax of £400 a head would get only £102 relief to mitigate a £1,250 rise in outgoings.



Bright: to be head of the poll tax review team

Ava Gardner ring goes for £209,000

By SARAH JANE CHECKLAND, ART MARKET CORRESPONDENT

THE jewels of two glamorous recluses, the film star Ava Gardner and the millionaire Dorothea Allen, made a total of nearly £1 million yesterday at Sotheby's in London.

The £355,025 proceeds from Ava Gardner's trousseau will go to her niece and two sisters. Because no heirs have been identified for Mrs Allen's inheritance, the £577,000 raised from her jewels are being claimed by the Treasury.

Top price among 33 Gardner lots was £209,000 paid by a private buyer for an emerald and diamond cluster ring by Van Cleef & Arpels, 1961. The estimate had been £120,000-£150,000.

In her heyday, Ava Gardner was known for her romances, having married her fellow film star Mickey Rooney and the clarinetist Artie Shaw in quick succession.

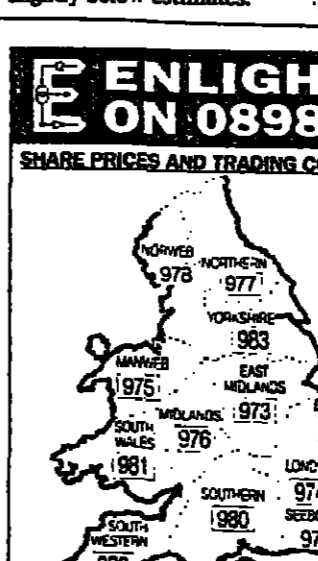
In her latter years, the Carolina-born actress retired to Knightsbridge in London where she appreciated the fact that the English "mind their own Goddam business". She died here, aged 68, in January.

Top lot among the Allen collection was a large Cartier diamond ring, which fetched £66,000.

A high-living socialite in the Thirties and Forties, who claimed to be on first name terms with Clark Gable and Errol Flynn, Mrs Allen re-

treated into hiding after the death of her husband in 1985, systematically destroying evidence of her past by burning and shredding documents.

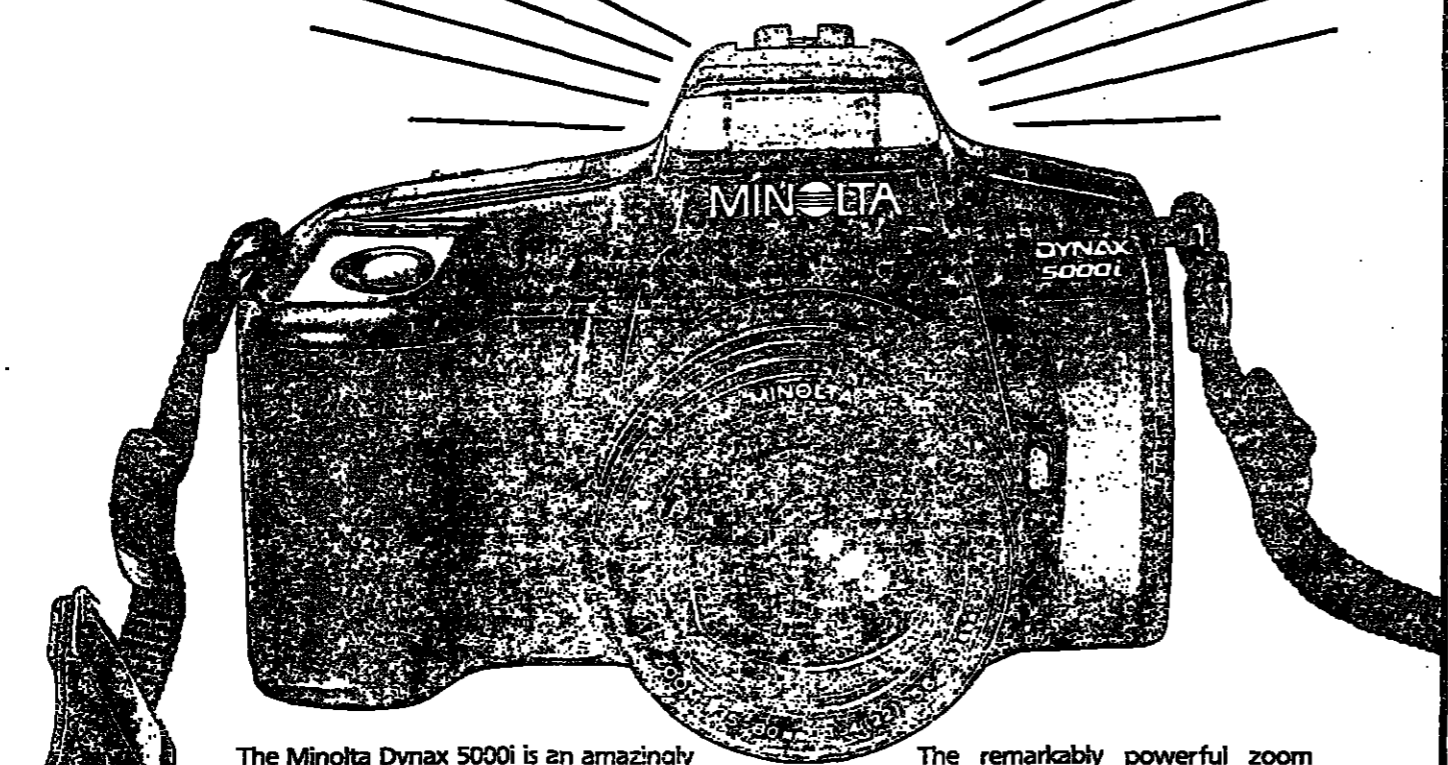
Alexandra Rhodes, of Sotheby's, said: "Lots of people were buying jewellery to wear and paying competitive prices. But there were some items that were sold slightly below estimates."



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Search for a quick profit keeps most shares in few hands

MOST of Britain's new breed of stock market players — one in ten of the population — will be preparing to make an instant profit on shares in the electricity supply industry, confirming fears that while privatisations have been successful they have not led more people to invest in UK plc as a whole.

One in ten Britons applied for electricity shares, Dr. Roger Rogerson, the government's privatisation advisers, has disclosed, with the sell-off oversubscribed tenfold, making it the most successful privatisation to date.

Some 12.75 million applications have been received from an estimated 5.7 million people, more than 80 per cent from small investors. The high demand will mean a big scaling down of requests and disappointment for investors who applied for anything but the minimum number of shares.

It is expected, however, that the majority of applicants will sell their shares at the first opportunity, taking profits of up to 40 per cent in time for Christmas. Many others will hold on to their shares, still hoping for an eventual profit but also to take advantage of loyalty discount bonuses on their electricity bills.

In determining allocations, registered customers and small investors will be given priority. Most applicants, 10.2 million, asked for 500 or fewer shares. Subscribers have pledged £17 billion, on the basis of the full 240p share price, and the electricity issue far outshines British Gas, previously the most popular privatisation, which had 4.5 million applications.

Share certificates were due to be posted by December 19, but because of the demand and problems caused by the weather, the deadline has been moved to Christmas.

In spite of the privatisation programme of the last decade, the Stock Exchange says that small investors have not taken to wider share ownership promoted by the Thatcher governments, because buying and selling shares was perceived as too complicated.

Fourteen per cent of shareholders hold shares that they bought through the stock market, while the rest of Britain's 11 million shareholders bought them through privatisations. David Jones, chief executive of Sharelink, said that was because banks and stockbrokers were not interested in catering for the small investor holding one or two privatisation stocks.

Operations like Sharelink are the product of the fallings of Big Bang.

In spite of the tenfold over-subscription in the electricity sell-off, and past privatisation successes, Britain has not become a nation of shareholders, David Young writes

Deregulation should have meant wider share ownership, but banks and stockbrokers are not that interested because their businesses are geared to large deals or well-heeled private clients," he said.

The Confederation of British Industry has estimated that the proportion of British shares held by private investors fell to 20 per cent last year, down from 30 per cent in 1980. Institutional investors held 60 per cent and the remainder was held by the government and other British and overseas investors.

Around 6.5 million private shareholders had holdings in only one company and only 0.3 million held shares in 11 or more companies. Holdings are overwhelmingly in privatisation issues.

The British Telecom flotation attracted 1.2 million registrations and 2.3 million applications. Enthusiasm for privatisations grew with the TSB flotation, for which 3.1 million people registered and five million applied. The pattern was reversed in the 1986 gas flotation, which had 7.5 million registrations and 4.5 million applications.

Dealings in BP started just after the crash of 1987, which explains why 6.5 million registrations resulted in just 250,000 applications. British Steel attracted 1.5 million registrations and 650,000 applications.

According to research from the Stock Exchange and the Association of Investment Trust Companies, people see privatisations mainly as a way to make a quick profit. The crash of 1987 was seen as a warning that investing on the stock market was risky, but privatisations were considered low risk.

The CBI has found that although millions have bought privatisation shares,

the move to a share-owning democracy is steadily being lost to the institutions. In 1975, individuals held nearly 40 per cent of the value of Britain's listed companies. Now they own just 20 per cent.

Ownership of Britain's listed companies, which provide most of the country's prosperity, lies in the hands of some 60 investment groups, who control billions of pounds of other people's money. Public ignorance of investing in shares, and the part it plays in creation, is damaging to the economy as a whole, the CBI says.

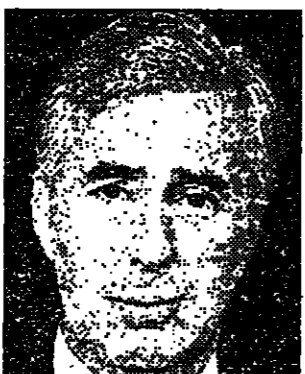
John Banham, the confederation's director-general, said: "Personal savings in the UK in 1988 accounted for under 3 per cent of gross domestic product. This compared with 8 per cent in France, the US and Germany, and 15 per cent in Japan."

To increase the number of individuals regularly investing in the stock market the CBI has proposed a tax-free allowance of £1,200 a year for direct investment in shares as well as other measures and a campaign by retail stockbrokers and the International Stock Exchange to promote the benefits of shares. It wants the relaxation of rules to allow companies to promote their own shares and encourage employees to own shares and share options in their own companies.

The CBI also points out, however, that investing in shares is riskier than putting money in a building society because share prices can go down as well as up, but over long periods the rewards can outstrip the return purely from interest. A £1,000 share investment in 1980 would, on average, be worth about £4,000 now, but only £2,200 if it had been held in a building society.

Commenting on the CBI study Fred Carr, a director of the brokers W.J. Carr, said: "The stock market is a vicious place full of professionals who have been at it for a long time. Ordinary people may not have enough money for a good spread of risk or to interest a good adviser. It is improper to advise the man on the Clapham omnibus to take his money off deposit and put it into a few shares."

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Leading article, page 15
Business news, page 23
Business comment, page 25



Banham: CBI proposing tax-free allowance

Attack on road plan for marsh

By JOHN YOUNG

THE transport department has shown blatant disregard for a nationally important wildlife habitat in its proposals to re-route the A13 over Rainham marshes, in east London, the Royal Society for the Protection of Birds will tell a public enquiry today.

The society claims that the route would cut across the north-west corner of a large area of grazing marsh, and would have a drastic effect on many important species of birds, insects and flowers.

The Inner Thames Marshes site of special scientific interest covers 1,184 acres and is the largest in London. Among the birds that breed there are lapwing, shoveler, redshank, sedge warbler, reed warbler, reed bunting, stonechat, yellow wagtail and linnet. Grey partridge and short-eared owls would also be affected, the RSPB says.

The society is presenting evidence jointly with the Nature Conservancy Council (NCC) and the London Wildlife Trust to the enquiry, which began in October at Grays, Essex.

The NCC is also concerned about plans announced last year by MCA, parent company of Universal Studios, to build a 1,000-acre theme park and entertainment complex on part of the marshes beside the new road. It would be designed by Steven Spielberg, the film maker, and it is estimated that it would attract five million visitors a year.

Having council said yesterday that it expected to hear early next year whether MCA intended to go ahead with its plans. The company was recently bought by the Matsushita corporation of Japan.

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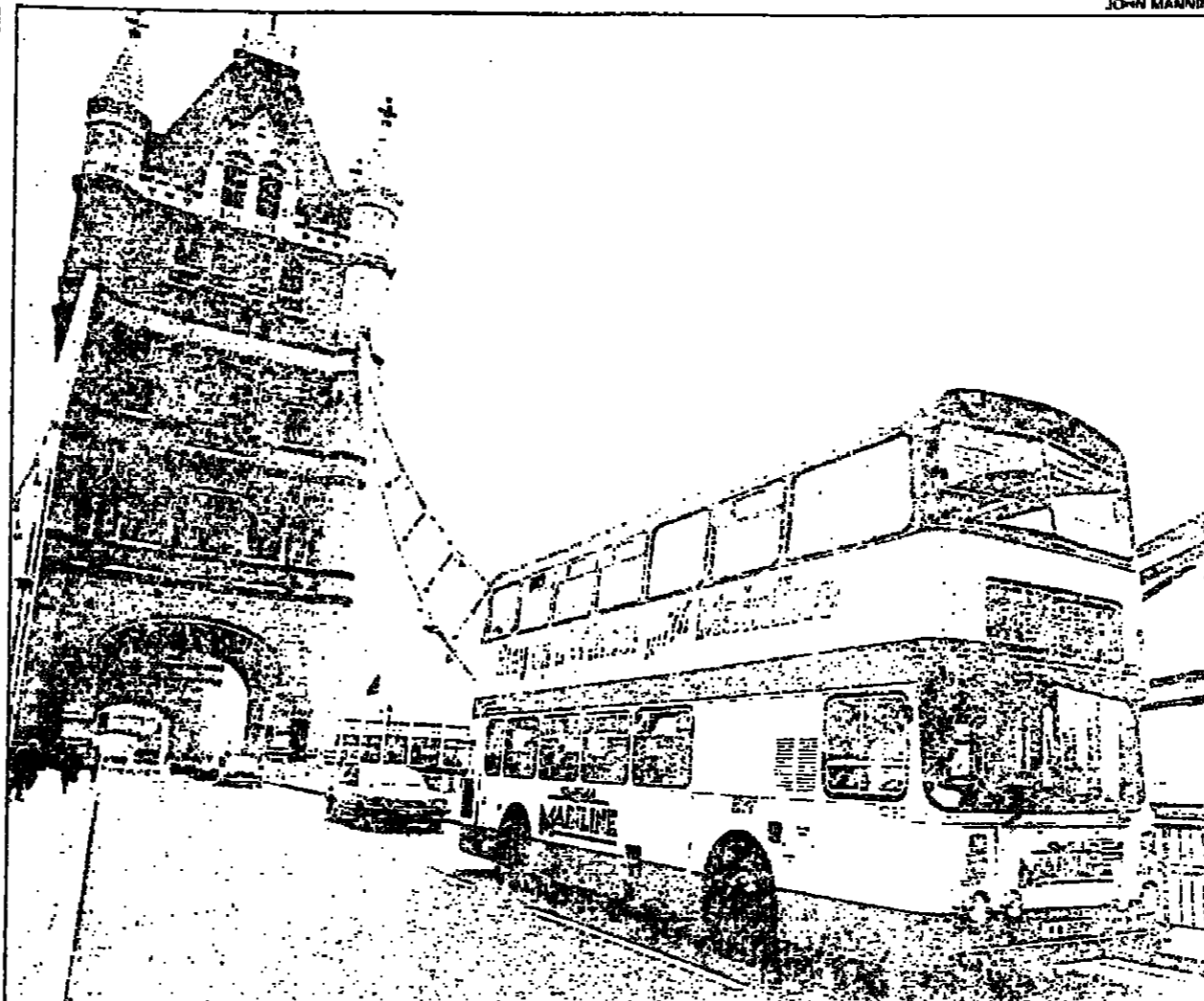
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Scenic route: a Sheffield Mainline bus crossing Tower Bridge in London might be thought to have taken an unparagonably long detour.

In fact, it is one of several that have been hired to meet a shortage of vehicles on route 78 between Shoreditch and Forest Hill. The contract to run the service was won by London and Country Buses of Reigate, which took over last month. The company has not received all the 11 new vehicles required for route 78 and has made good the deficiency by hiring from South Yorkshire Transport.

Petrol dips below £2 mark

By KEVIN EASON
MOTORING CORRESPONDENT

PETROL from Shell yesterday dipped below the £2 a gallon mark for the first time since July, signalling the start of another round of price cuts. Shell cut 9.1p (2p a litre) from all grades of petrol to take four-star lead down to 199.6p (43.9p) and unleaded to 186p (40.9p). Diesel falls 6.4p (1.4p a litre) to 197.8p (43.5p). Shell, which has 2,800

filling stations, is the first of the big oil companies to break the psychologically important £2 a gallon threshold. As joint market leader with Esso, Shell's move is certain to precipitate a round of price cuts. Fina, one of the smaller companies, set the scene for further price cuts at the weekend by reducing the cost of a gallon by 7.3p.

Oil companies were reacting to rapidly weakening prices of bulk oil and petrol on markets encouraged by the prospects of peace in the Gulf, which would ensure the safety of oil supplies next year.

Petrol peaked at 239.6p on October 1 but has since tumbled by about 40p to the levels operating before the Iraqi invasion of Kuwait on August 2. Jim Slavin, Shell's retail division director, said last night: "This latest reduction brings our petrol prices back to where they were before the end of July."

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† If your maximum balance falls below £2,000 the maximum rate will be 11.00% (Gross), 8.50% (Net).

‡ All on one occasion each calendar six months as long as the balance remains in excess of £10,000 (additional withdrawals

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Renton hints at funding for RSC at Barbican

By SIMON TAIT, ARTS CORRESPONDENT

THE Royal Shakespeare Company can expect a funding boost from the Arts Council's new enhancement fund, but will have to avoid political gestures and confirm its commitment to the Barbican, Tim Renton, the arts minister, indicated yesterday.

Speaking for the first time about his immediate priorities after taking over the Office of Arts and Libraries, Mr Renton said that his first priority was allocations from the £22.5 million fund and that the RSC would be considered.

He said, however: "I was dismayed in the last month or two that things had become very political." That had not helped the RSC's cause.

The company has closed the Barbican theatre, leased from the Corporation of London, to stop its deficit rising to an unmanageable £4.2 million. Mr Renton said that the last productions staged before the Barbican was closed - particularly *Moscow Gold*, about the aftermath of perestroika under Mr Gorbachev, which played to conspicuously small audiences - were not sensible choices.

A suggestion that the RSC may not return to the Barbican without adequate funding was called a "political gesture" by the managing director of the Barbican, and relations between the company and the Barbican reached their lowest ebb when the theatre was closed at the beginning of November.

Mr Renton said: "We don't want this to happen again. It seems it all went wrong and it shouldn't go wrong again."

On Thursday, he will meet Peter Salomons, chairman of the Arts Council, and Anthony Everitt, its secretary-general, to discuss recommendations on allocations from the general fund and the enhancement fund, to be made at a special meeting of the full Arts Council next week.

The arts minister's second priority is devolution: the delegation of Arts Council funding to new regional arts boards. He will meet a delegation of local authorities, many of whom are unhappy at the decision by David Mellor, Mr Renton's predecessor, to reduce the size of the boards and have the chairman appointed

by the minister. That gave rise to fears that Mr Mellor intended to be interventionist over the biggest shake-up of the structure of arts subsidy in Britain since the founding of the Arts Council in 1946.

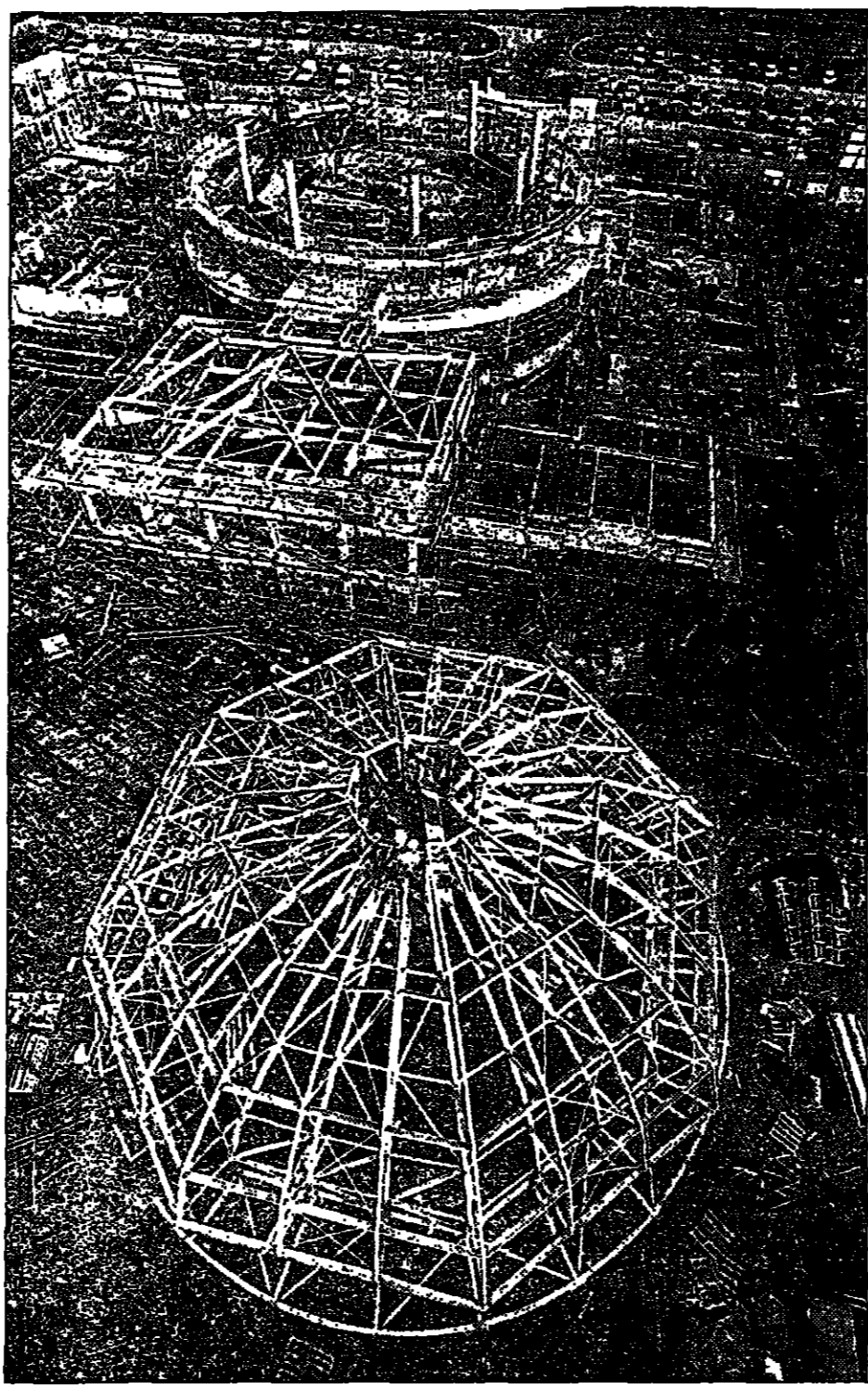
Some local authorities have even threatened to stop arts funding in protest at having only three representatives in the 12 members of the boards, as recommended by Mr Mellor.

"I am a hearty devolutionist," Mr Renton said. "There is often a devil in these things and it's only when you get into the detail that the devil appears. But I don't take too seriously threats about cutting funds."

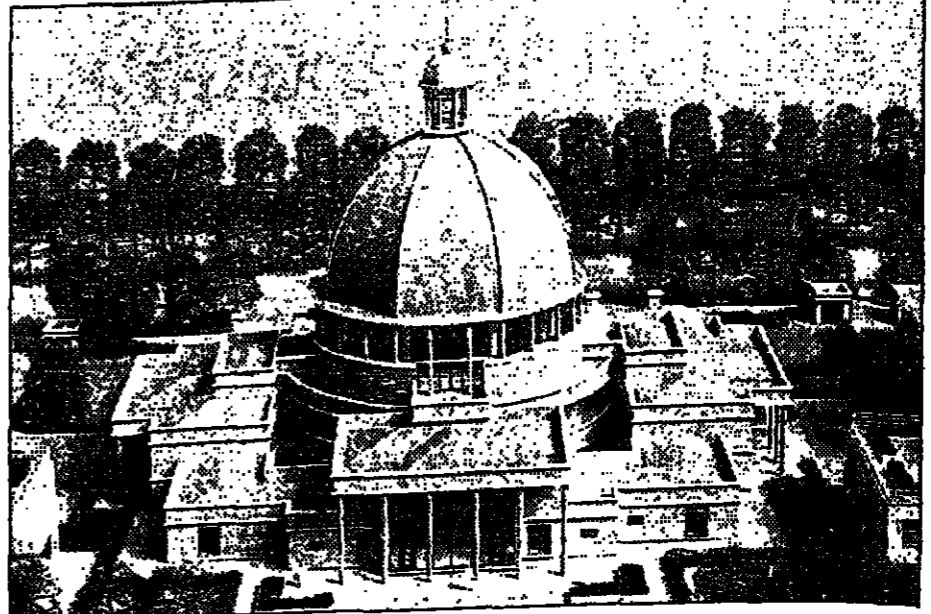
He is also concerned about the Royal Opera House's development scheme, which will cost £200 million. "There is an enormous cash flow gap. They need £60 million from the private sector and the opera house have said that, in the present climate, they are not going to get it. But we have said they are not going to get it filled by the government. They have got to rethink what they are going to do, and I am eager to see their modified plans."

The opera house has announced that, although there will be no government funding next year for the scheme, they intend to go ahead with it, albeit on a longer timetable.

"We are not going into it this year, but it is in my gift to make recommendations to the Treasury for next year," Mr Renton said.



Skeleton staff: workers put the finishing touches to the 40 tonne steel framework of the 66ft dome, due to be lifted into place later this month



How the new £3 million church will look after its completion next summer

City's new multi-faith church prepares to raise the roof

By RUTH GLEDHILL, RELIGIOUS AFFAIRS REPORTER

CHURCHGOERS in Milton Keynes will soon be praying beneath a roof bearing a striking resemblance to that of St Paul's in London. The octagonal dome will this month be lifted on to the £3 million city church, Britain's first ecumenical city church, which is on schedule for completion by next summer.

The five Christian denominations involved have contributed £1 million between them and an anonymous benefactor this week donated £100,000 towards the £2 million appeal, which is £1.5 million towards its target. The 120ft church, called Christ the Cornerstone, will be one of the highest buildings in the city.

The Rev Hugh Cross, the first ever inter-denominational leader for a whole city, has been appointed by the Milton Keynes Christian Council as ecumenical moderator, equivalent, the coun-

cil says, to a bishop. Mr Cross, who will be based at the church, will move to the city next month. A congregation has already begun worshipping, based in the city's library.

The building is designed on classical lines and the dome is about half the size of St Paul's. The dome's 66ft diameter steel framework has used 40 tonnes of steel-work and stands nearly 40ft high. It will be finished in lead and will support a glazed and colonnaded lantern with an orb and cross on top.

The new church will be shared by Anglican, Roman Catholic, Baptist, United Reformed and Methodist worshippers. Milton Keynes is an exceptionally ecumenical city and already boasts 29 united congregations.

Mr Cross said: "It will be a central church for all the churches in Milton Keynes.

The church will not be called a cathedral, but it will be that sort of place. The church will be not only a place of worship but will have a number of other rooms and offices to serve the community. It is a splendid building and very exciting."

Mr Cross, former ecumenical officer for England with the defunct British Council of Churches, is a Baptist-trained minister and has worked as a missionary bookseller in Zambia. He will be paid a senior minister's salary of about £12,000.

The church will hold a congregation of nearly 600, and as well as being used as a place of worship will become a meeting place for workers and visitors to the city. A "centre for independent living" will provide a training and information centre for people in the city with disabilities.

Arts ministry's role may grow

By OUR ARTS CORRESPONDENT

AN ENHANCED arts ministry, to take in broadcasting and to be prepared to tackle competition from European countries and joint media projects with them, might be proposed in the next Conservative election manifesto.

Tim Renton, the new arts minister, who was broadcasting minister at the Home Office before becoming government chief whip 13 months ago, denied that he wanted promotion to the cabinet as head of an enlarged department, but conceded that there was logic in combining arts and media in a department that was already more concerned than any other with assisting the creative process.

Asked whether he would advocate it as policy, Mr Renton quoted the fictional chief whip in the television political drama *House of*

Cards, saying: "You may think that, but I couldn't possibly say so."

"With less than 18 months at the most before the general election, I have other priorities to attend to before addressing what our paragraph in the election manifesto might be."

Mr Renton welcomed the fact that for the first time culture was to be on the agenda of the Inter-Governmental Conference of EC nations beginning on Saturday.

Mr Renton is anxious to tackle the problem of the export of works of art to Europe, both now and after 1992 when trade barriers within the EC are removed. He said that he wanted to hear from the working party studying the issue that was set up by Richard Luce just before he left office as arts minister in the summer.

Duty officer 'was at night class' as water poisoning spread

A WATER official went to a dog-training class instead of dealing with complaints about Britain's worst water poisoning incident, a court was told yesterday.

Vital hours were lost because Raymond Truscott, the stand-by officer, failed to call and then told his headquarters not to say too much about the incident at Camelford, north Cornwall. Although he guessed straight away from complaints that chemical pollution was the problem, it was not for another two days that the real fault was found, Exeter Crown Court was told.

The control room at South West Water's headquarters was swamped with complaints when the acid water started reaching homes. Susan Jones, telephone controller, said she quickly realised the seriousness of the complaints but could not find anyone to act on them.

The now-extinct South West Water Authority denies causing a public nuisance and poisoning the Camel with aluminium sulphate. The jury has heard how 20 tons of the chemical were accidentally dumped into the mains at Lowermoor treatment works near Camelford in 1988.

The Crown alleges that the authority, which has since been privatised, failed its customers by failing to diagnose the problem quickly enough and failing to issue a warning of the dangers.

Mrs Jones said she took two complaints before 8.04pm, when Mr Truscott made a routine check-in. "At that stage I did not tell him anything about Camelford. He said he had a previous engage-

Call for reduction of permitted lead

By JOHN YOUNG

THE permitted maximum of 50 micrograms of lead in a litre of drinking water is too high and should be reduced, a report in *Which Way to Health*, published today by the Consumers' Association, says (John Young writes).

Last year a government report advised that water for babies' bottles should contain no more than 10 to 15 micrograms. The average for adults should be no more than 30 micrograms.

Water suppliers are advised to inform customers if tests show a level of more than 50 micrograms, but those are not necessarily an accurate guide, since most lead contamination comes from domestic pipes and tanks.

The use of lead for new pipes was not banned until 1976, and lead-based solder on copper pipes not until last year. Those concerned about lead levels should ask their

supplier for advice or ask an environmental health officer to test a sample taken first thing in the morning, after the water has been standing overnight.

"High levels of lead are a proven health hazard," David Dickinson, the magazine's editor, says. "Even at low levels lead can interfere with red blood cell formation and vitamin D metabolism."

The article advises people to run the cold water tap for three minutes first thing in the morning, and for one minute after water has been standing in the pipes for more than a few hours; to take drinking and cooking water from the cold tap in the kitchen; and not to use tap water for babies' bottle feeds. The article suggests that hard water may be better for people's health than soft water. Studies suggest that it offers some protection against heart disease.



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Karpov has 19th game postponed

By RAYMOND KEENE
CHESS CORRESPONDENT

THERE was no play last night in the World Chess Championship in Lyons, France, after Anatoly Karpov, the challenger, asked for the 19th game to be postponed until Wednesday.

Each player in the championship has the right to postpone three games, after informing the arbiter of their intention by midday local time. Kasparov, the defending champion, and Karpov each have one "time out" left.

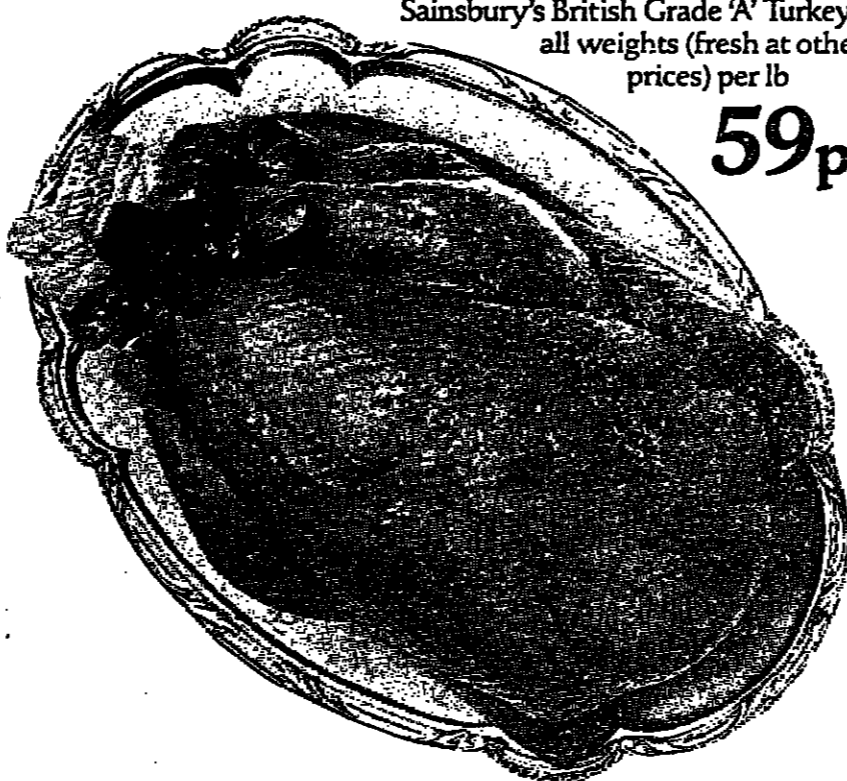
Karpov's time out came as no surprise after the battering he received in the 18th game, which he resigned on Sunday night.

Kasparov now leads by 9½ points to 8½. There are six games left in this \$3 million contest. The winner will be the first player to score 12½ points.

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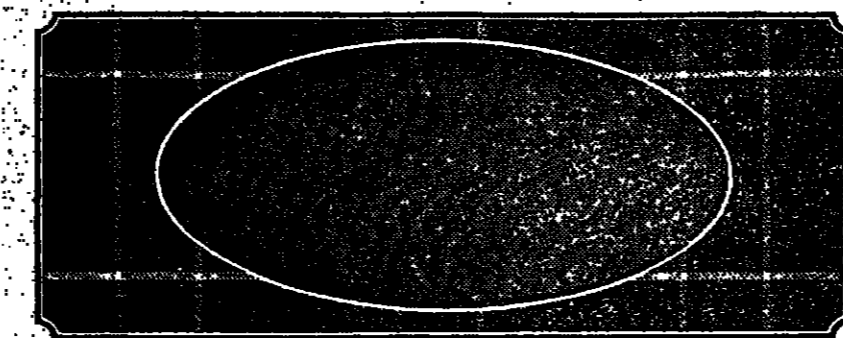
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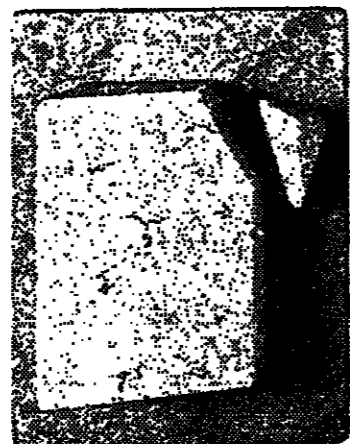
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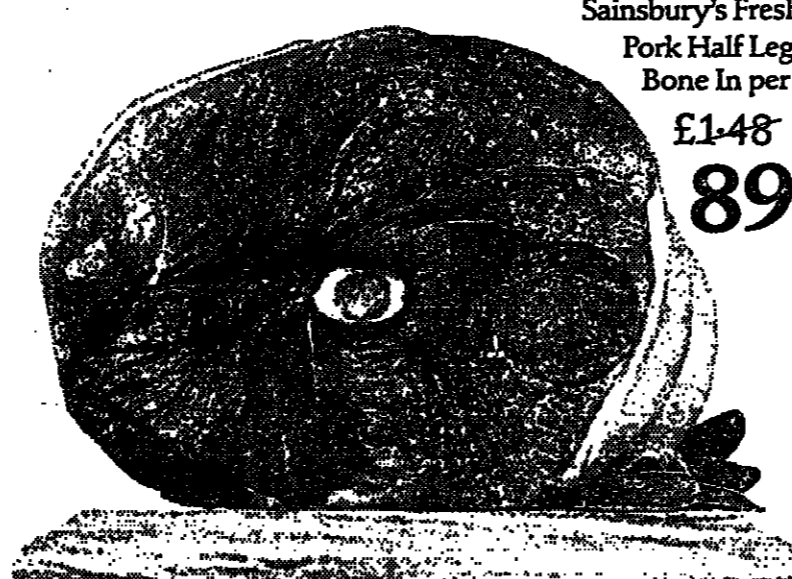
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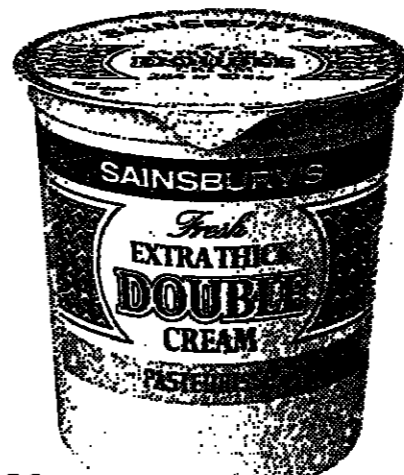
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Judge sends sisters home in ritual abuse hearing

By RONALD FAUX

THREE sisters who were made wards of court after allegations of ritual abuse returned to the permanent care of their parents yesterday. Proceedings relating to the sisters from Rochdale, aged 7, 11 and 16, were abandoned at the High Court in Manchester, and they were allowed home after Mr Justice Douglas Brown heard evidence in private.

A statement authorised by the judge from Gerry Gibson, solicitor for the parents of the children, said that, on the recommendation of Rochdale metropolitan borough council, the three children had been "de-warded".

"It was conceded by Rochdale and accepted by the court that there were no substantive grounds to any allegations in respect of these three children. There has been no criticism of my clients, the parents, throughout the mat-

ter," the statement said.

He added that the parents were delighted by the outcome and wished to return to a normal life as soon as possible. Two of the sisters have lived at home pending the outcome of the wardship proceedings.

The three girls were among 20 temporary wardship cases which Rochdale council had sought to make permanent after allegations of ritual abuse. The case relating to the remaining 17 children is to continue and the hearing is expected to last six weeks.

A statement from David Venables, Official Solicitor to the Supreme Court, issued after the hearing began, said that the judge had ordered that there be no further media speculation about the cases and that no approach be made by the media to any of the parties involved while the proceedings were in progress.

A statement said the hearing would take many weeks and there would be a full and detailed investigation. All the parents are represented by counsel and solicitors, and the children are represented by the Official Solicitor. In the interests of the children, their anonymity is being preserved.

The parents of the children have denied the accusations, which came after statements from a boy aged six to his teacher. Investigations by Greater Manchester police did not, however, uncover any evidence on which criminal charges could be brought.

Rochdale council invited the health department to examine the way in which they handled child abuse cases, and the inspectors were critical at the way in which some cases, unrelated to the 20 children involved in the present proceedings, were handled.

Police and social workers are working together to investigate child sexual abuse cases, according to the findings of a national survey.

The study by Surrey university indicated that 89 per cent of police forces and three-quarters of social services departments jointly interview abused children, although fewer conduct joint interviews with families. The findings were disclosed at a London conference on the investigation of child sexual abuse, which was organised by the Police Foundation, an independent research body.

The figures also show that 21 per cent of police and 19 per cent of social services departments jointly interview witnesses. A small number of social services departments are present during police interviews with suspects.

About two-thirds of all police forces and social services departments use video recorders when interviewing children. Video-tapes will soon be allowed as evidence in the prosecution of sex offenders.

Sue Conroy, a research fellow at the university, who helped produce the survey, said: "The more both sides work together, the better chance there is of developing a joint understanding of the problem and avoiding professional disputes."

The homeless: action to focus on private sector

Return of the caring approach

Government efforts to help the roofless are hampered by factors beyond ministers' control, Jamie Dettmer reports



Dave Hayes, aged 28 (left), Alan Scott, aged 22, and Tony Cromwell, aged 33, unemployed and living rough in the Waterloo bulbar

IN LINE with the government's efforts to project a more compassionate image, Sir George Young, the housing minister, is to review several aspects of the environment department's policy on homelessness. His colleagues hope that he will have a greater impact on the problem of homelessness than his Conservative predecessors.

As Christmas approaches, the plight of Britain's growing army of homeless has yet again provoked widespread concern and led to fierce attacks on the government's handling of a problem that has got worse in the past ten years. Ministers are aware that the government is widely seen as being uncaring about the homeless, and they are now keen to admit that past Conservative policies may have increased the chances of the poor ending up on the streets or in seedy bed-and-breakfasts.

The Labour party has clearly been able to score points off the government's approach to homelessness. At times, the government, eager to think the unthinkable and say the unsayable, seemed to invite outraged criticism. The nadir in right-wing radical approaches to homelessness probably came in the summer of 1988 when Nicholas Ridley, the then environment secretary, considered the idea of withdrawing benefit rights from homeless people who refused to stay in their "home" council area. The aim of the plan was to try to deter destitute people from flooding into the main cities. The plan was leaked and attacked as unworkable.

Mr Ridley's idea came to light during an earlier lengthy review after the widespread media coverage of the plight of young people sleeping rough in London, Manchester and other big cities. Technically, those who sleep rough are described as being

roofless. The roofless numbers are tiny in comparison to the 300,000 or so who are in temporary accommodation but have no secure or permanent home. In London, there are probably under 2,000 people who sleep rough. The number of homeless is much higher, with 31,734 families now in temporary accommodation in the capital. More than 8,000 of these homeless families are in bed-and-breakfasts.

Last summer, the National Audit Office said the number of households accepted by local councils as homeless had risen from 53,000 in 1978 to 126,000 in 1989. There have been several factors behind this rise, many of them beyond government control. One startling factor lies with the sharp increase in the number of households, which is in itself a reflection of the marital break-up rate and the rise in single-parent

families. One estimate suggested that between 1986 and 2001 the population will increase by 3.8 per cent while the number of households will rise by 11.1 per cent. Housing charities say that other factors that have encouraged homelessness, such as the fall-off in public housing, are within the government's control. The right-to-buy policy has been hugely successful and very popular and has allowed many working class people to fulfil a deeply-held ambition to own their homes. But, as the National Audit Office has pointed out, it has led to a dramatic decrease in public-owned properties that could have been used for the homeless.

Government efforts to stimulate a compensating growth in the private rental sector have failed. Despite the Housing Act of 1988, which removed rent controls and

allowed landlords to charge "market rents", there has been no significant growth in the number of privately rented homes.

According to environment department sources, Sir George is keen to discover why the government's attempts to encourage an expansion of the private rental sector have had little impact. More than 600,000 privately owned properties are empty. It is likely that he will try to devise more ways of increasing the number of privately rented homes at prices the needy can afford.

Sir George is also likely to want to help local authorities bring back into use the 100,000 council houses which are empty. The environment department has already earmarked £300 million over two years for empty properties to be renovated and brought back into use.

MPs upset at failure to halt rise

By SHEILA GUNN
POLITICAL REPORTER

THE Commons public accounts committee yesterday criticised the failure of government initiatives to halt the rise of the homeless families.

The chairman, Robert Sheldon, complained about the reliance on expensive, unsafe bed-and-breakfast accommodation to house the homeless and the number of government-owned properties lying empty.

Sir Terence Heiser, the environment department's permanent secretary, told MPs that the homeless figures were rising. In the first six months of this year 72,830 people were accepted as statutory homeless by local authorities, a rise of 15 per cent on last year. The number of people in temporary accommodation rose from 38,000 for the first six months of 1989 to 43,040 for the same period this year.

Mr Sheldon pointed out that the costs of housing the homeless in bed-and-breakfast places rose from £22 million in 1984-5 to £142 million in 1987-8. The average cost of housing people in such accommodation had risen by 245 per cent between 1983 and 1987.

Mr Sheldon also criticised Sir Terence for putting the blame on local authorities. He said that 35,100 empty properties were owned by government departments, a rate of 18.1 per cent, compared to a local authority rate of 2.4 per cent.

Study leads to Salvation Army rethink

By LIN JENKINS

IN THE driving sleet of early December, London's West End shop doorways are home to youths who sit dejected, bundled in blankets with the packaging from their fast food suppliers tossed carelessly at their feet.

Along the road, one of the Salvation Army's oldest hostels for the homeless has empty beds in the dormitory, as it does on every night of the year.

The situation is so puzzling that the charity commissioned a two-year study from Surrey university to discover how to spend the funds it has been putting aside for a new initiative. The results have been a surprise.

The Salvation Army has decided not to publish the findings until it has decided how to respond, which is expected to take

until April next year. Charles King, a charity spokesman, said: "What we are presented with has forced us, after 100 years in the night shelter business, to completely rethink our philosophy."

The report claims that there are around 2,000 people sleeping rough in London, 30,000 in squats, 18,000 in hostels and 25,000 in bed and breakfast accommodation. It also suggests that the need is not so much for night shelters but for greater efforts to assist people to return to independent living.

"People want different things. There are lots of people who would rather go to sleep on the streets drunk than sober in a warm bed," Mr King said.

The dilemma facing the charity is well known to the St Mungo

Association, which caters for 500 homeless people on 30 sites, offering employment training and psychiatric rehabilitation to encourage people to stand on their own feet.

Mick Carroll, a member of the association, says that the problem stems from the different categories making up the homeless population. The young tend to live in the Strand and Covent Garden, with a more sophisticated group living in the violence of cardboard city near Waterloo station. Around north London and Lincoln's Inn Fields are the older group of psychiatric patients who make up half of the capital's homeless population. Of the younger group a third have been in care immediately prior to living on the street and 40 per cent have had

some experience of institutions. Their wish is often for a big house and a new BMW and, having become detached from normal life, they cannot see that their expectations are ludicrous.

Mr Carroll said: "They live on the Strand and all they see is wealth on parade and cannot see the intermediate stage before they can be popping into the Savoy Grill."

The first step to altering their outlook is going into a hostel where they come into contact for the first time with people who work. "That is when they start to see that people have to do overtime to pay their mortgages. They really are out of touch with reality and are difficult people to interest in anything positive which requires effort," Mr Carroll added.



WHITE HORSE
Scotch Whisky

Move by Gorbachev designed to counter flagging KGB morale

From MARY DEJEVSKY IN MOSCOW

THE chilling warnings given by Vladimir Kryuchkov, the head of the KGB, have angered Soviet radicals but left many ordinary Russians cold. They regarded Mr Kryuchkov's statement that the Soviet intelligence services and their troops were ready to counter opposition to Soviet rule wherever it was found as entirely appropriate to the role of the KGB: unwelcome, but unsurprising.

Mr Kryuchkov's broadcast was the third by a leader of the law enforcement establishment in as many weeks, and the most alarming.

The defence minister, Marshal Dmitri Yazov, stated that the army had the right to fire on civilians who attacked military property and the right to take over power stations and food distribution. The new interior minister, Boris Pugo, conveyed his message of iron discipline and social order.

All three claimed to have been authorised to speak by the president and none implied any threat to the present Soviet leadership.

Their appearances are said to have been requested by President Gorbachev after he told parliament that if deputies wanted a tougher approach, it was theirs for the asking. If President Gorbachev seems assured of

the almost unquestioning support of the army high command, the leadership of the interior ministry, and the KGB, however, this does not necessarily mean that he could count on all of them equally or absolutely in a crisis. Each agency has its own armed troops, which have different functions and different traditions.

The interior ministry troops are thought to number up to 400,000, including the feared anti-riot squads, the Omon. They were made directly responsible to the president, and so separated from the army and the KGB commands, by special decree in 1989.

While the Omon have the reputation for professional ruthlessness, the ordinary interior troops are often conscripts. The use of the interior troops, in preference to the regular army or KGB, in civil disorders has made service in the interior troops highly unpopular.

This branch may be one of the least reliable forces at Mr Gorbachev's disposal. The law on states of emergency stipulates, however, that enforcing an emergency is the task of the interior troops.

Interior troops are unlikely to be deployed, however, without back-up from the regular army. Morale in the

army, as in the interior troops, is not high. The withdrawal from Eastern Europe, cuts (if only cosmetic) in defence spending, poor conditions for returning officers, and the Afghanisthan experience have all contributed to this, coupled with the feeling until recently that Mr Gorbachev was not paying due attention to the military.

The president has no guarantee that even the regular army could enforce Soviet rule in the outlying republics.

The KGB troops, who constitute the elite of an elite, are the ones he must increasingly rely on. KGB troops guard Soviet leaders and control especially sensitive military installations, including all nuclear facilities.

The KGB also has branches in the army and the interior ministry, where they are believed to exert tight control.

Recently, however, even the KGB has shown signs of restiveness.

But there is no evidence of divisions in the KGB that would greatly weaken its effectiveness. The best way of raising KGB morale is probably to widen its remit and give it a freer hand. If Mr Kryuchkov's statement is an indication, that is exactly what President Gorbachev has done.



Making an exit: John Gotti, accused of offences under a gang-busting statute, leaving the FBI's Manhattan offices after his dramatic arrest in Little Italy.

Movie moguls upstaged by FBI club raid

From CHARLES BREMER IN NEW YORK

FRANCIS Ford Coppola might be forgiven a little envy. While his long-awaited *Godfather - Part III* is reported to be languishing in the cutting room only two weeks before its release, the real-life FBI and the Mafia have upstaged him with a drama worthy of the *Corleones*.

Feds Bust Gotti in Little Italy, the *New York Post* blared yesterday after the media were invited to witness the arrest of John Gotti, alias the Dapper Don, the "reputed" head of the Gambino crime family, along with three lieutenants, including Salvatore (The Bull) Gravano, his alleged consigliere. For the FBI it was a moment to be savoured after all the frustration. Mr Gotti, who is said by the government to run America's biggest mafia clan, has won acquittal and media celebrity in four trials since 1985. "We've got him nailed this time," said one jubilant officer.

It was 7 pm and cold on Tuesday night at the Ravenite Social Club, Mr Gotti's alleged place of business on Mulberry Street, the location of all those gangster movies. The self-styled "plumbing executive", sleek in hand-tailored overcoat and yellow silk scarf, was driven up to the club in his silver limousine. "Alpha team, moving in," crackled the FBI agents' radios.

In nearby Prince Street, two officers jogged up and burst into the alleged mob headquarters. One yelled: "Everybody up against the wall!" Police then stormed inside. Mr Gotti, now wearing handcuffs, but with his grey pompadour still perfectly coiffed, was escorted to a less opulent car. He did not forget to flash his trademark smile to the reporters, who had also been staking out the street. "No problem, boys," he quipped. "Somebody told me when I walked in here that I was going to get pinched tonight."

Mr Gotti is charged with a bookful of offences mostly covered by an umbrella statute which helped the FBI cripple lesser gangsters as well as insider traders. The FBI alleges the Gambinos' main business is in the old-fashioned mob areas of gambling, hijacking, loans, and union racketeering, as well as the more modern drug trafficking.

The centre-piece in the case is a charge that he engineered the murder of Big Paul Castellano, his alleged predecessor as boss of the Gambinos, who was gunned down in Manhattan five years ago. New information has also provided evidence to charge Mr Gotti with murdering Dec. Bee Di Bernardo, a family capo whose body was never found, police said.

To date, the NHBC warranty scheme has rescued
over 50,000 families, including
13,000 left stranded by bankrupt builders.

Beaten Tyminski must remain in Poland for slander investigation

FROM ROGER BOYES IN WARSAW

STANISLAW Tyminski, the Polish-Canadian emigrant businessman who unsuccessfully contested the presidential election, has been ordered by the prosecutor-general not to leave Poland until a slander investigation is completed.

Mr Tyminski repeatedly threatened during the election campaign to reveal damaging facts about the president, Lech Walesa, but never did. He also accused the prime minister, Tadeusz Mazowiecki, of treason. Mr Tyminski yesterday vowed to fight on politically in Poland, "even from a prison cell if necessary".

The official results released yesterday gave Mr Walesa 74.25 per cent of the vote and Mr Tyminski 25.75 per cent. Mr Tyminski confirmed yesterday that he would challenge the result in the supreme court, arguing that his supporters were deliberately intimidated. The appeal, however, is not given any chance of success.

Turnout was low at 53.4 per cent, but Mr Walesa can still claim the support of about 10.6 million voters, a big enough victory for

him to create his special brand of presidency — a blend of trouble-shooting sheriff, patching up worker-unrest, and political power-broker, making and breaking governments. "It is not yet the victory I intended, it is only a certain stage. We have got rid of the system that lasted 45 years, now we must start building a new system. I will try to provide room for everybody so that we can build Poland together."

Mr Walesa's emphasis is on healing the rifts he opened up by pressing for early presidential elections and aiming his campaign against the government of Mr Mazowiecki. The prime minister resigned a fortnight ago, but his decision has not yet been accepted by parliament. He is expected to be allowed to resign on Thursday or Friday this week.

"Mazowiecki has greatly contributed to our victory," Mr Walesa said. "As a patriot he will find a way of serving Poland. We shall see what sort of place it will be." Mr Mazowiecki has already started to form his own party, a loose formation that tries to bridge

the moderate Christian democrat and social democrat strands of Solidarity.

Mr Walesa's goal is to bolster a political centre that will support his concept of reform. That entails a crash course in party pluralism with each Solidarity faction developing its left-wing or right-wing creed. At the same time these parties would retain a Solidarity code, their Solidarity roots and speak a common language. To that end, Mr Walesa has sounded out several candidates for the premiership. The most likely contender seems to be Jan Olszewski, a political defence lawyer in his sixties.

In 1956 he was associated with the young reform socialists grouped round the weekly *Po Prostu*, but since then he has veered to the right and is a Roman Catholic activist, well trusted by the church hierarchy. His links with Mr Walesa go back to November 1980, when he helped to register Solidarity as a trade union.

The key question is whether the finance minister, Leszek Balcerowicz, will be kept on. This is an important signal to the West and the International Monetary Fund which regards highly his plan to shift Poland to a market economy. Mr Walesa says he wants to retain Dr Balcerowicz, but at the same time insists on "corrections" to the programme.

This means making life easier for farmers, keeping some food producer and retail subsidies and giving them soft credit lines. Whether Dr Balcerowicz can accept such a fundamental dilution remains to be seen. In the current negotiations he has become a pivotal figure.

Yesterday Adam Michnik, the most vociferous critic of Mr Walesa during the election, swore his loyalty to the new president in a front-page article in the daily *Gazeta Wyborcza*. Whether this will be loyal support or loyal opposition depends on Mr Walesa's sensitivity towards the Balcerowicz programme.

Mr Walesa is trying to establish continuity with the Mazowiecki government by assembling a cabinet balanced between Walesa and Mazowiecki loyalists.

Leading article, page 15



A taste of victory: Lech Walesa and his wife, Danuta, celebrating with champagne after his success in the Polish presidential election. One of his first acts will be to give thanks at the shrine of the Black Madonna in the Jasna Gora monastery.

Protests at home mar peace prize award for Gorbachev

FROM REUTER IN MOSCOW

SEVERAL dozen demonstrators, denouncing President Gorbachev's tough line on nationalism, protested yesterday against his having been awarded the Nobel peace prize.

"It is not a prize for peace, it is a prize for someone who wants to preserve an empire," said Mikhail Gorin, deputy chairman of Narodnaya Rada, a nationalist faction in the Ukrainian parliament, and one of the Ukrainians who came to Moscow for the protest.

Mr Gorbachev, who is battling with breakdown republics and a crumbling economy, decided not to attend yesterday's peace prize ceremony in Norway because of the critical situation. Instead he was in the Kremlin at a plenary session of the Communist Party's Central Committee.

The Norwegian organisers awarded the peace prize to the Soviet leader in recognition of his efforts to promote disarmament and to end the Cold War. One of the protest members from Georgia said: "A president who is responsible for bloodbaths in Tbilisi, Baku, Yerevan and other cities does not deserve the Nobel peace prize."

Meanwhile, in Oslo yesterday Anatoli Kovalyov, the first deputy foreign minister, accepted the prize, a gold medal, a diploma and a cheque for 4 million Swedish crowns (£366,000), on Mr

Gorbachev's behalf. He read a message from the Soviet leader, the first Communist head of state to win the prize, which said the world faced a choice, "a unique opportunity for reason and the logic of peace to prevail over that of war and annihilation."

Mr Kovalyov said Mr Gorbachev did not see the award as a

conflict... aggressive intentions and totalitarian traditions," he added. Gidske Anderson, the head of the Nobel committee, said: "The Nobel committee wishes to emphasise the tremendous potential which is now available for a more secure world."

Mrs Anderson said that Mr Gorbachev had won because of his international achievements and "this is neither the time nor the place to discuss the Soviet Union's internal affairs."

But she hoped the award "will be recognised as a helping hand in an hour of need, as a greeting to all the peoples of the Soviet Union, as a sign that the outside world is watching their struggle with a sense of fellow feeling and with a sense of participating in the historic events that are taking place."

However, Vladimir Bukovsky, the Soviet author and former jailed dissident who has lived in the West for 14 years, said that Western support for Mr Gorbachev "prolongs the agony of the Communist regime, which is doomed anyway, and the suffering of the Soviet people."

"We are convinced this is a mistake," said Juozas Karvelis, a member of the Lithuanian parliament. "Gorbachev's policy in the Baltic republics is doing nothing to strengthen peace — quite the opposite."



Gorbachev: domestic troubles forced him to stay at home

Strike by drivers hits Bucharest

FROM TIM JUDAH IN BUCHAREST

SEVERAL hundred cement mixers, refrigeration lorries, dump trucks and other large vehicles blocked four of Bucharest's main avenues yesterday as Romania's militant drivers' union went on strike, calling for the government to resign and for other workers to join a general strike. Health workers and teachers have also started a "symbolic" strike.

President Iliescu yesterday telephoned Miron Mitrea, the leader of the drivers, and offered to mediate between his union and the government. The offer was accepted and a meeting is due to take place this morning.

The government is clearly worried the drivers' strike will spark industrial and social unrest during this month's emotional first anniversary of the revolution. Many commentators are predicting "something" is about to happen, but no one appears to know what. Widespread dissatisfaction with food queues, poor water supplies, lukewarm heating and inflation means Bucharest is nervous of anything which could provoke demonstrations in the next few weeks.

President Iliescu told Romanians last Friday that planned price increases for basic foodstuffs had been postponed.

Kremlin cool over Walesa poll victory

FROM BRUCE CLARK IN MOSCOW

PRESIDENT Gorbachev yesterday wished Lech Walesa, a fellow Nobel Prize winner, good luck as Polish head of state, using language that was cordial but contained no trace of the warmth or congratulations that might be expected between leaders of nominally allied countries.

"History and life prove convincingly the need to develop co-operation and interaction between our states and peoples," Mr Gorbachev said in a telegram, adding that he hoped for the development of "friendly and good-neighbourly relations... in the interests of both countries and the construction of a new Europe."

The foreign ministry, meanwhile, did not volunteer any comment about Poland in its usual news round-up for the press. Mr Yuri Gromitskiy, one of its senior spokesmen, however, took

a question about Mr Walesa's victory in his stride.

While making no pretence of welcoming the result, he declared that "the Polish people have made their choice, as is their sacred right". He went on: "We are neighbours who have always co-operated... and we would like to hope that this co-operation will move forward under the new President too."

Helmut Kohl, the German Chancellor, was much warmer in congratulating Mr Walesa, and assured him that united Germany was a good neighbour (Reuters reports from Bonn).

"Poland stood at the beginning of a movement in Europe that also brought unity in freedom to the German people," Herr Kohl said in a message to Mr Walesa, adding: "Our two people are... called upon to contribute to the creation of a future Europe."

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Break-up nearer after Milosevic win

YUGOSLAVIA shifted further towards disintegration yesterday, with Slobodan Milosevic's ruling communists apparently on the way to a landslide victory in Serbia's first free elections for more than half a century.

Amid accusations of vote-rigging, the Electoral Commission yesterday morning gave the final results of voting in five electoral districts. Mr Milosevic was the overwhelming choice for the presidency in all of them and his party, now calling itself socialist - although its methods, ideology and command of the economy remain communist - received a clear majority of votes, even in areas where there had been large monarchist and anti-communist rallies earlier this year. According to early returns, the party has won 80 of 140 seats. Based on the results from the five districts, Caslav Ignjatovic, chairman of the republic's Electoral Commission, estimated that there had been an 80 per cent turnout across the republic. He said the socialists also

The communists have been returned overwhelmingly in Serbia. Richard Bassett and Dossa Trevisan in Belgrade consider the implications

led the opposition for parliament in the five districts, although in one the socialist candidate did not win outright and would face a second-round run off. "All I can say is they are leading and leading well," Jova Vukelic, press spokesman for the Democrats, said.

Alexander Raznjatovic, another Democratic Party official, said that Mr Milosevic could even win an outright majority in his first-round bid to retain the republic's powerful presidency.

Centre-right coalitions topped the communists in Slovenia and Croatia in regional elections earlier this year. The early indications of communist gains on Sunday in Serbia and Montenegro, the last states to hold free elections, could increase tensions. The results are in sharp

contrast to Mr Milosevic's waning popularity. His increasingly rare public appearances have drawn only a handful of supporters to the streets to hear him.

Nevertheless, the results, in the wake of a campaign of unprecedented intimidation, even by Balkan standards, were not unexpected, although the scale of Mr Milosevic's victory stunned opposition leaders. It is the first time in Eastern Europe that the electorate has voted overwhelmingly to maintain the communist status quo.

Opposition leaders cited more than 150 examples of voting irregularities, including unsealed ballot boxes, voters without identity papers and Milosevic supporters voting in the names of people long deceased. The opposition parties were

also hampered in their campaigning by being given access to state television only during the months immediately before the election. As in Bulgaria and Romania, the communists used every possible means to secure victory. Unlike Bulgaria, however, where the army remains apolitical, in Serbia the army threw its weight firmly behind the communists.

Mr Milosevic clearly also benefited from his promises of full employment by maintaining the command communist economy. The economic reforms of his opponents, which envisaged privatisation, would have led rapidly to 2 million unemployed over and above the present 1.5 million out of work in Yugoslavia.

Serbia's economy is one of the weakest in Yugoslavia. Per capita output is 15 per cent below the average. Mr Milosevic had no remedies for the dramatic fall in living standards which has overtaken the country in recent months except greater centralisation. This is unlikely to alleviate Serbia's £2 billion of debts and

£2.5 billion of losses incurred since Mr Milosevic became president three years ago.

The communist victory also has serious implications for Yugoslavia's fragile unity. Mr Milosevic's success can only encourage the northern republics of Slovenia and Croatia to move as swiftly as possible to sever their links with what they regard as the bolshevik rump of Yugoslavia. Slovenia already intends to hold a plebiscite on its independence later this month. The result will almost certainly give the republic's government the green light to decide on secession.

Mr Milosevic, who opposes the idea of a Yugoslav confederation, has always refused to negotiate with the Slovenes. He has also rejected the idea of talks with Croatia where, as in Slovenia, a democratically elected anti-communist government favours divorce from Serbia.

Vuk Draskovic, the leader of the largest opposition party, yesterday described the results of the Serbian election as "a national catastrophe".

Havel seeks extra powers to preserve single state

FROM PETER GREEN IN PRAGUE

PRESIDENT Havel of Czechoslovakia said yesterday he would ask parliament to grant him vast new powers in an effort to head off a constitutional conflict which he said could threaten his country's existence and plunge it into economic and political chaos.

In an emergency speech to the federal assembly, which was televised nationwide, Mr Havel said that threats by political leaders in Slovakia to declare primacy of their laws over those of the federal parliament would lead to legislative chaos and the dissolution of the state.

"Our young democracy and the existence of our state itself are endangered," Mr Havel said. "I am very sorry I had to go this far. I am doing this to fulfil the expectations of millions of citizens who ... entrusted this position to me and believe I will help save our federation."

"Our state is not this time threatened from the outside, as so many times in the past, but from the inside. We are threatening it ourselves with our low political culture, lack of democratic consciousness and mutual understanding ... our lack of experience and personal bad qualities."

Mr Havel singled out Vladimir Meciar, prime minister of the Slovak republic, for criticism. Mr Meciar has threatened to declare Slovak laws supreme over federal laws if Prague modified a previous agreement on sharing power among the federal and republic governments that gives economic and administrative powers to the republics.

The Czech and Slovak parliaments differ on control of oil and gas pipelines, taxation and budget questions, postal services, policy toward ethnic minorities, and chairmanship of the national bank. The new law keeps foreign policy, defence and general economic and monetary policy under federal control.

Mr Havel said a declaration of Slovak sovereignty was clearly unconstitutional, and told the country that whatever decision parliament makes is legally binding "on all institutions and all people". Otherwise, "the thin ice of our constitution will be broken and our state would inevitably fall into legal chaos".

He said if that happened he would then have to declare laws made by the Slovak parliament as unconstitutional and this would lead to the dissolution of Czechoslovakia.

"We would be the first disintegrated or perhaps terminated state in post-war Europe," Mr Havel said. The consequence would be "total economic collapse

with permanent social unrest" and "very probably the end of democracy" for Czechs and Slovaks. "Future generations would curse us and the rest of the world would proclaim us fools," Mr Havel added. He cited a recent public opinion poll showing that 70 per cent of Slovaks and 74 per cent of Czechs thought the Slovak moves were part of a political game that did not reflect the wishes of the people.

Mr Havel presented two bills to parliament to help iron out this and future problems. One bill would create a constitutional court, and the other bill would allow any big political issue to be put to the voters in a referendum. But Mr Havel said that until parliament adopted a new democratic constitution, he would have to assume greater powers himself.

He did not specify what powers he wanted but said that they would be included in a bill to be presented to parliament, and he urged that it be considered immediately.

"I believe strongly you know me well enough that you need not suspect I desire to increase my own power. I am doing this to fulfil the hopes of millions of people who elected me in this country, who think that I will help to save our federative state," he said.

Defending his call for greater powers, Mr Havel did not rule out calling in the army if there was no other way to save the union.



Star striker: Helmut Kohl, the German Chancellor, kicking a football at half-time during a match between Bayern Munich and the Soviet Union in Munich to raise money for Soviet food aid

De Klerk party will play role in talks

Johannesburg - President de Klerk's National Party has decided to set up a formal negotiating team, which would ostensibly act independently of the government in Pretoria, to take part in talks next year on a post-apartheid constitution (Gavin Bell writes).

The move is seen as an attempt to overcome objections to the government both negotiating and supervising the transition process. It is expected that senior ministers, such as Gerrit Viljoen (constitutional development), would quit the cabinet to lead the party's team.

The African National Congress has reaffirmed its commitment to conciliation, and the Inkatha Freedom Party, the powerful Zulu organisation, has formally centred the process. The Pan Africanist Congress is refusing to join the negotiations.

The effect is to bring the principal parties closer to the negotiating table and to strengthen their resolve to curb political violence.

President de Klerk and Nelson Mandela, the ANC deputy president, said after private talks they had made significant progress towards ending strife in the townships.

Chinese plenum

Peking - Despite indications that China's Communist Party cannot agree even on basic economic policy, Li Peng, the prime minister, said yesterday that the Central Committee would hold a plenary session late this month, which would concentrate on economic planning. The plenum was originally scheduled for October, but has been repeatedly delayed by rows about the economic road ahead.

Petrol protest

Manila - The government has reduced the newly-increased price of petrol as thousands of protesters and strikers across the Philippines demanded that President Aquino resign. Mrs Aquino had said that there was no choice but to pay more because of increases in world crude prices since Iraq invaded Kuwait. But the protesters said the price reduction was insufficient. (AP)

Fighter deal

Kuala Lumpur - Malaysia has signed a contract to buy 28 Hawk fighter aircraft - ten Hawk 100s and 18 Hawk 200s - worth about £400 million. British Aerospace, the manufacturer, is to set up a regional service centre for the aircraft with the Malaysian aircraft service company. For this, £80 million has been earmarked, spread over 20 years.

Tamil rebel shot

Colombo - Government troops shot and killed a Tamil rebel leader while he was leading an attack on the Kaduvan army camp in the Jaffna peninsula, military officials said yesterday. Another Tamil rebel, two government soldiers and five Sinhalese extremists belonging to the People's Liberation Front were killed in separate operations elsewhere in the country as well. (AP)

Down to earth

Cape Canaveral - The space shuttle Columbia was heading for a landing in California a day earlier than planned after NASA shortened its problem-plagued astronomy mission because of bad weather. The mission was rescheduled as rain and gusty winds today were deemed unsafe for a landing. The latest in a spate of problems encountered by the crew was a clogged lavatory. (Reuters)

Paris Bastille opera house faces threat of revolution

FROM JOHN PHILLIPS IN PARIS

LESS than 18 months after the inauguration of the Bastille Opera House to the strains of the *Marseillaise*, Michel Rocard, the prime minister, was quoted yesterday as threatening to close the troubled institution unless its management makes revolutionary reforms.

President Mitterrand decided in 1982 to build the new Paris opera house at a cost of two billion francs (£200 million) to make the arts more accessible. But a series of setbacks has plagued the circular, 10-storey complex since it was opened by 10 of the world's best opera singers on the eve of the bicentennial Bastille Day celebrations.

In the latest hitch, the management late last month was forced to cancel perfor-

mances of the opera *Otello* because of a week-long strike by orchestra musicians demanding a pay increase.

The weekly news magazine *Le Point* said yesterday: "Rocard confessed, recently that he does not exclude the pure and simple closing of the Bastille, if a solution does not intervene rapidly." The report described Pierre Bergé, the 60-year-old opera president and founder of the Yves St Laurent fashion empire, as "en panne" (broken down). "The president of the opera of Paris is not emerging from difficulties of all sorts that prevent the normal functioning of the Opéra-Bastille," *Le Point* said.

M Bergé yesterday defended his record. "One speaks badly of these poor operas of Paris," he told the magazine *Express*. "I admit it, but on condition one talks also about the others - that one not pass over in silence the three-month closure of the Metropolitan (in New York) because of strikes, the total disfigurement of Covent Garden. One builds an opera in several years and I have the time. Whether they like it or not, everybody will be obliged to wait. That is the way it is."

The stoppage by the musicians is the latest in a series of snags. Even before the inauguration of the Bastille Opera, M Bergé sacked, in January 1989, Daniel Barenboim, the Israeli artistic and musical director of the Opéra-Bastille, after he refused to take a cut in salary. He was replaced by the young

Korean director, Myung Whun Chung. M Bergé, a fervent campaigner for President Mitterrand who often is criticised by French conservatives for being a member of what they call the "cavine left", also has had trouble with the 111-year-old Palais Garnier Paris opera house, where he replaced Rudolf Nureyev with Patrick Dupond to oversee the artistic direction of ballet performances.

As well as serving as the unpaid director of the Palais Garnier and the Bastille Opera, M Bergé is in charge of the Opéra Comique. In 1977 he bought the Théâtre de l'Athénée in Paris and staged concerts featuring prestigious singers, such as Plácido Domingo and Jessye Norman, before selling it to the government for a symbolic one franc (10p).



Rocard: issued "reform or close" ultimatum

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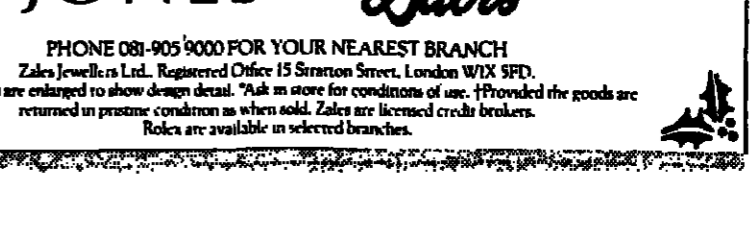
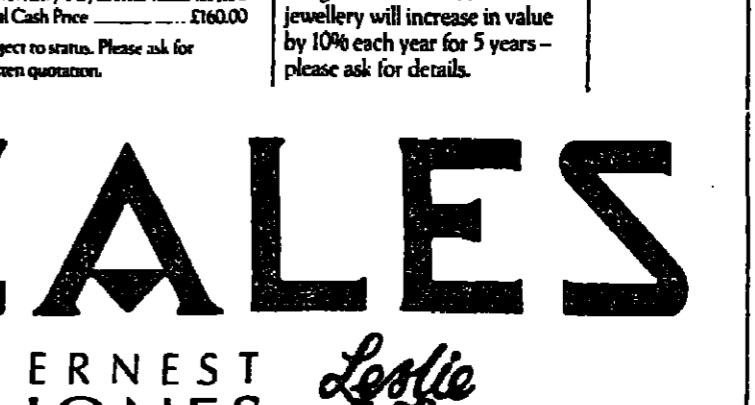
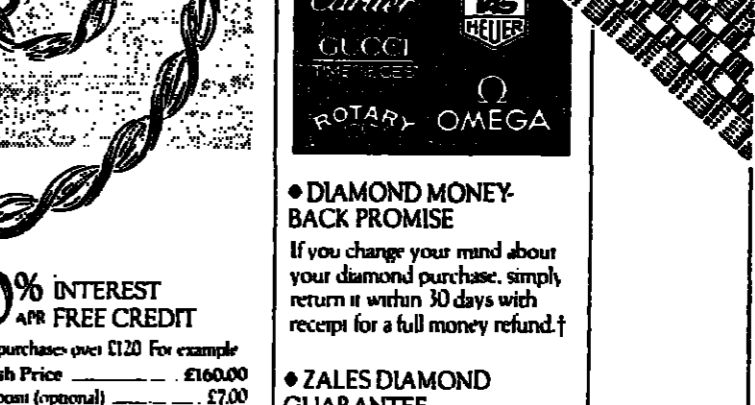
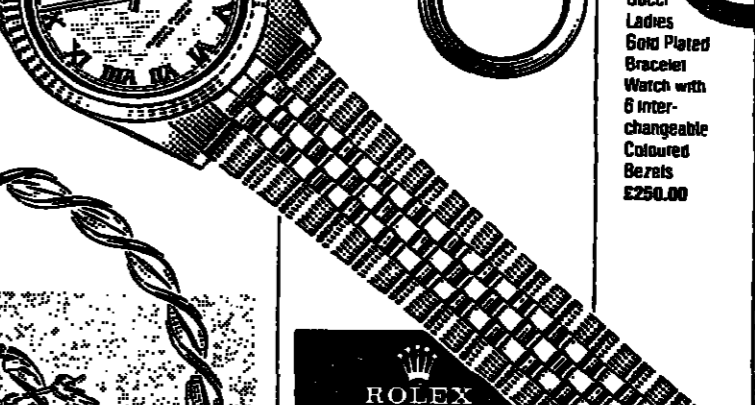
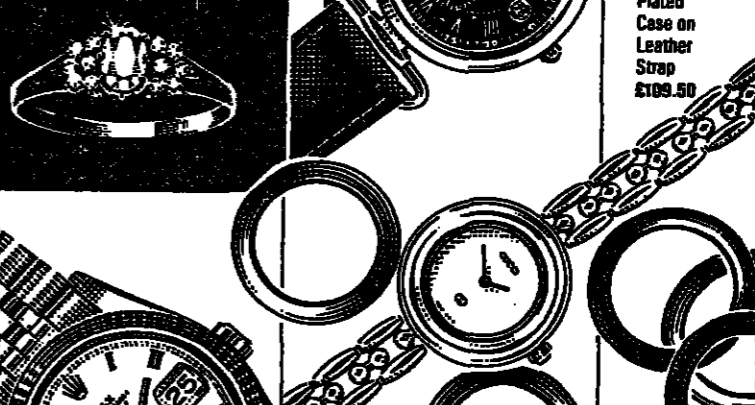
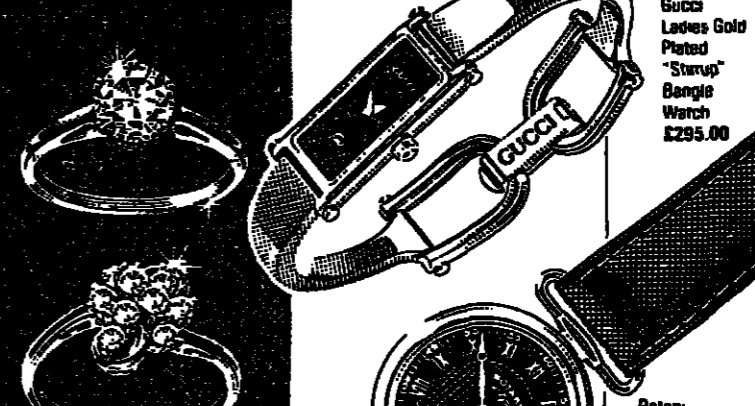
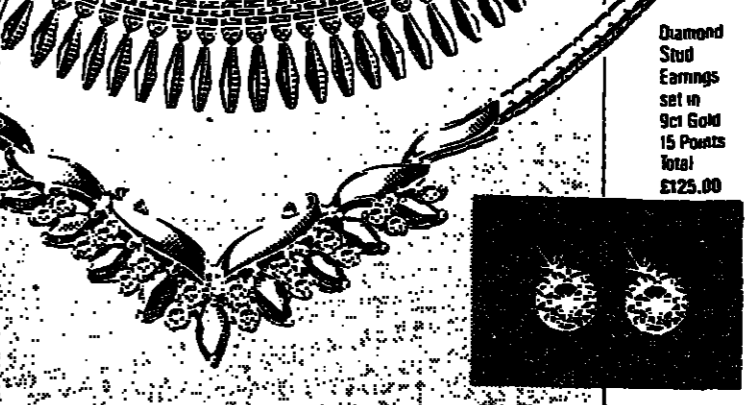
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Defence chief admits fears of 'substantial' Gulf casualties

By MICHAEL EVANS, DEFENCE CORRESPONDENT

THE government's most senior military adviser yesterday admitted he feared there could be "substantial" casualties if war were to break out with Iraq.

Sir David Craig, chief of the defence staff, also rejected the view that such a war could be quick and easy.

Sir David's remarks during a speech to senior officers of the Voroshilov Military Academy in Moscow appeared to support the warning given by Brigadier Patrick Cordingley, commander of the 7th Armoured Brigade, or "Desert Rats", in Saudi Arabia at the end of last month. Brigadier Cordingley was criticised for speaking out about the possibility of a "particularly unpleasant war" and of his personal fear that there could be "a lot of casualties".

Sir David said: "My government has to contemplate the employment of British forces to help compel the Iraqi army to leave Kuwait, if it becomes clear that sanctions cannot achieve that goal." He added: "I am under no illusions that the use of force would be easy and quick, nor can I discount the likelihood of substantial casualties."

His remarks are in line with the latest thinking in the Pentagon. American officials now envisage a war lasting several months, not days, as first predicted. United States military commanders also believe that a full land-air battle

will be required to force the Iraqis out of Kuwait. An extensive air bombardment, lasting several days, was initially felt to be sufficient to defeat the Iraqis.

Sir David, the most senior British chief of staff to visit the Soviet Union since the second world war, made it clear he had not ruled out a war, in spite of the recent diplomatic moves which have led to new hopes of a peaceful settlement, saying: "Unpalatable though it may be, armed force may still be required to contain and defeat a dictator who thinks that war, invasion and the taking of hostages are legitimate tools of national policy."

Sir David said it was up to political leaders to decide on the use of force, but added: "It is clear that to allow Saddam Hussein to profit by his illegal act would be a major setback for the international community at the very moment when, in ending the Cold War, we have achieved so much in improving security in Europe."

Although Soviet forces are not among the multinational build-up of troops in Saudi Arabia, Sir David praised the support the United Nations for introducing effective sanctions. "No longer can an aggressor count on East-West antagonism to prevent concerted UN action," he said.

Sir David issued a warning against "any weakening of resolve" on the part of the international community, which would undermine the prospects for the UN taking a prominent role in maintaining global security.

● **DHAHRAN:** Two more US soldiers were killed in weekend accidents in Saudi Arabia, raising to 53 the number of Americans who have died in Operation Desert Shield, the army said yesterday (Reuters reports).

One soldier died on Sunday when the articulated lorry he was driving overturned and the other died in a separate incident, also on Sunday. Britain, France and Spain have each lost one soldier due to accidents in the multinational build-up since August.

Hostages home, page 1
More Gulf refugees, page 14

France bolsters its forces

FROM JOHN PHILLIPS
IN PARIS

FRANCE said yesterday it was increasing its contingent in Saudi Arabia by at least 1,000 men before January 15 to bolster its artillery firepower and to provide extra tank and air power.

"A decision of principle at the highest level has been taken concerning reinforcements that had been requested for a long time to assure the maximum security of our forces," Jean-Pierre Chevènement, the defence minister, told a press conference after a ministerial meeting of the Western European Union.

Full details of the reinforcement would be published after the French chief of staff had studied the logistics, M. Chevènement said.

But defence ministry sources said about 1,000 artillery gunners would be sent to Saudi Arabia armed with between 18 and 24 155mm field pieces. Also to be sent are AMX30 heavy tanks to bolster the lightly armoured French force of 6,250 men in place in Saudi Arabia, as well as some additional combat aircraft, the sources said.

France already has 24 war planes including Mirage F1 reconnaissance aircraft, Mirage 2000 bombers and Jaguar fighters in the Gulf. One of the Mirage F1s crashed during a training flight on Friday, killing the pilot.

Roland Dumas, the French foreign minister, restated yesterday that no compromise was possible with Iraq before a complete retreat of Iraqi forces from Kuwait.



Flying visit: Sir David Craig, Britain's defence chief of staff, sitting in a MiG-29 during his visit to Kubinka airbase outside Moscow yesterday where he made it clear he had not ruled out war with Iraq despite the current diplomatic moves. Sir David is the most senior British chief of staff to visit Moscow since the second world war

UN likely to compromise on Middle East peace proposal

FROM JAMES BONE IN NEW YORK

A POSSIBLE compromise on a controversial United Nations resolution on the Israeli-occupied territories was emerging yesterday, just hours before the Security Council was due to vote.

Diplomats from the United States, Yemen, this month's council president, and Finland, a neutral party in the talks, were discussing removing any reference to an international peace conference from the main resolution to be voted on — thus allowing the United States to support it.

The provision endorsing the convening of an international conference would be re-submitted as a separate resolution which the US was expected to veto. However, it is possible that the Americans may not have to use their veto in the second vote on the provision because its appearance of linkage with the Gulf conflict could persuade enough countries not to support it.

American officials have said that, although the provision on the international conference uses the precise wording of official US policy, Washington is reluctant to vote for it in a security council resolution lest it be perceived as a concession to Iraq, which has demanded linkage between the Palestinian issue and Kuwait.

Although the compromise

would probably involve an American veto, which would damage Washington's alliance with Arab nations against Iraq, it found some support among council members.

The proposal would allow passage of the main provisions of a draft resolution intended to protect Palestinians in the wake of the killings in Jerusalem's Temple Mount in October. That would allow America's Arab allies against Iraq to claim that Washington was not hostile to the Palestinians.

Those provisions include preparations for a meeting of the signatories of the Fourth Geneva Convention to force Israel to comply with the rights it bestows on civilians under occupation, and the monitoring of the occupied territories by the UN.

The moves towards a compromise on the UN resolution came as President Bush prepares to meet Yitzhak Shamir, the prime minister of Israel, for talks today. The meeting, the first such encounter in 10 months, is being held against a background of rising Israeli anxiety that the US will reach a compromise with Iraq which will leave President Saddam Hussein and the Iraqi military infrastructure intact.

Israel also fears that despite

Western denials, President Saddam will succeed in linking Kuwait with the Palestinian question.

In Israel, David Levy, the foreign minister, demanded assurances from the US that it intended to destroy President Saddam's military capability and indicated that Israel would drop its current "low profile" if no such assurances were forthcoming. Mr Levy told a Knesset committee that the US presence in the Gulf had increased the danger to Israel.

The present calls for an international peace conference on the Middle East date from a UN conference on the question of Palestine in Geneva in 1983, which was boycotted by Israel and the United States.

The Geneva declaration issued at the meeting laid down six guidelines for a peace settlement — including an Israeli withdrawal from the territories it occupied in 1967, including east Jerusalem, and the creation of an independent Palestinian state.

To achieve these goals, the conference called for an international peace conference under the auspices of the UN with the participation of all parties to the Arab-Israeli conflict, including the Palestine Liberation Organisation, the US and the Soviet Union.

Kuwait vows it will never agree to any border compromise

By MICHAEL KNIPE, DIPLOMATIC CORRESPONDENT

KUWAIT'S government-in-exile said yesterday that it would not agree to any adjustments of its borders, as speculation mounted of a possible compromise solution.

The Kuwaiti foreign minister dismissed as totally untrue reports that Saudi Arabia and the exiled government of Kuwait had been holding secret contacts with Iraq through third parties in order to settle the border dispute between Iraq and Kuwait.

The reports suggested that Kuwait might offer to give Iraq full control of the Rumaila oilfield, which extends across the Iraqi border into Kuwait, and grant Baghdad leases on Warba and Bubiyan, two islands in the Gulf long desired by President Saddam Hussein.

Before the Iraqi invasion, Rumaila was yielding 10,000 barrels a day — 0.5 per cent of its total production of two million. Iraq claims Kuwait is stealing oil worth \$2.4 billion from its section of the oilfield by using slant-drilling technology.

Warba and Bubiyan are marshy mudflats at the uppermost northern corner of the Gulf. Their only inhabitants are migrating birds, save for a modest police outpost on Bubiyan. But, as they block direct access to the Gulf from the Iraqi port of Umm Qasr, they have considerable strategic value for Baghdad.

This has been increased by President Saddam Hussein's decision to cede to Iran his claim to

the Shatt al-Arab waterway which lies a few miles to the northeast and is Iraq's only other possible route to the Gulf.

Warba, the northernmost island, is only about seven miles by 18 miles wide and boasts a causeway linking it to the Kuwait mainland. This was built by the Kuwaitis about five years ago to strengthen their links to the island, given Iraq's undisputed interest in acquiring it, which increased during the Iran-Iraq war in spite of the financial backing it received from Kuwait.

Kuwaiti exile sources in London said there could be no question of using either the oilfield or the islands as bargaining chips. However, they did not dismiss the possibility of allowing an independent body such as the World Court to rule on the issue. They said that before the invasion the Kuwaiti government had said it would have nothing to fear from such an assessment, as Iraq's claim was baseless.

Iraq, which has annexed Kuwait and proclaimed it its 19th province, also made clear yesterday that its claim to the territory was not open to negotiation.

Meanwhile, Kuwaiti exiles have said they regard President Saddam's decision to release foreign hostages as a direct result of the United Nations Security Council resolution warning that "all necessary means" will be taken to bring about Iraq's withdrawal from Kuwait.

Invaders' reign of terror goes on

FROM CHRISTOPHER WALKER IN AMMAN

A disturbing picture of a continuing wave of terror being imposed by trigger-happy Iraqi soldiers inside occupied Kuwait was provided yesterday by a leading Western doctor who left the emirate three weeks ago.

Until he moved to Baghdad last month, Doctor Gisli Sigurdsson, the only Icelandic hostage, was head of the intensive care unit in Kuwait's Mubarak al-Kabir, the main civilian hospital. "Every day of the week young people were being brought in with gunshot wounds, usually in the chest," he said. "Shooting was the common punishment used even for minor crimes. Often it was carried out on the spot without any further attempt at interrogation or trial."

The doctor, who arrived in Amman on an Iraqi Airways jet, said that until he had gained his

freedom he had been unable to speak freely about what was happening in Kuwait although he had met Western journalists during three weeks in Baghdad under Swedish diplomatic protection. "The soldiers were very nervous and every day we had cases of serious gunshot wounds," he said.

"For instance, one Kuwaiti had been standing two hours in a bread queue when an Iraqi soldier pushed in front of him. The Kuwaiti asked why the soldier did not use the separate military bread line, which anyway was much quicker. At that point he was dragged out of the queue and shot through the chest and abdomen. Another minor crime for which the penalty was summary shooting was changing money illegally. People caught would be shot there and then on the street."

The doctor said many babies

were dying in Kuwaiti hospitals because the invasion had driven away staff. But he also disclosed that reports of deliberate maltreatment of hospital patients by occupying soldiers had been exaggerated for propaganda reasons.

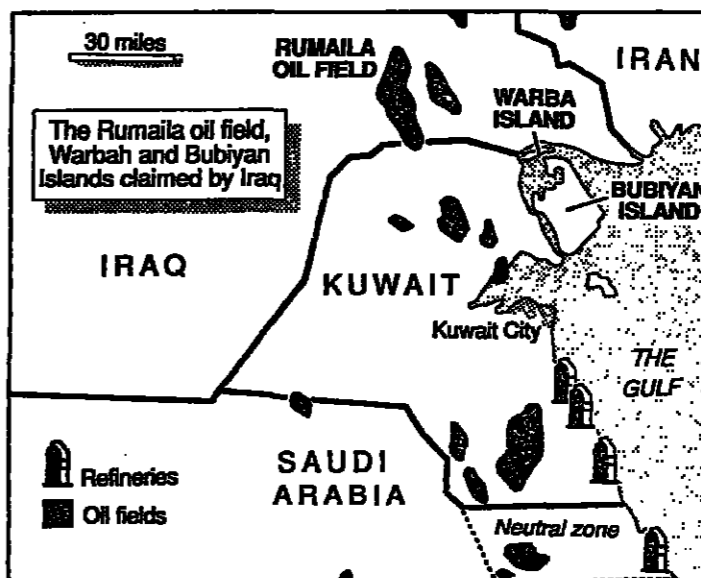
"That news was not true," he said of widely circulated accounts that Iraqi troops had removed premature babies from incubators and left them to die while they took equipment to Baghdad. "In fact they did not take equipment from hospitals other than military hospitals and clinics," he added. "However, lots of babies died because of lack of staff."

Doctor Sigurdsson claimed that the object of Iraqi policy in Kuwait appeared to be to drive out as many Kuwaitis and Palestinians as

possible and to remove as much material as could be taken to Baghdad. "I repeatedly saw things in Baghdad shop windows on which they had not even bothered to remove the price tag in Kuwaiti currency," he said.

He said that senior members of the Iraqi medical profession had arrived at his teaching hospital to ransack its renowned library. "It was very disturbing to see colleagues come and just sack the building, taking everything away to Baghdad," he said.

According to another witness, Abdullah al-Shayji of Kuwait University, who escaped two weeks ago, property taken away by the Iraqis included computers, telephone booths and paving stones, as well as desks, chairs and books from schools. They had also emptied warehouses, burnt offices and made off with the furniture and cars of fleeing residents.



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Voters give key role to former guerrillas in Colombia

FROM JAMES BROOKE IN BOGOTÁ

COLOMBIAN voters made a former guerrilla group the largest force in the nation's constitutional convention, while soldiers destroyed the mountain headquarters of the nation's biggest active guerrilla group.

Spurning traditional political parties, the voters on Sunday gave 30 per cent of their ballots to the M-19, a group that laid down its arms in March.

Carrying out a different policy towards active guerrillas, the same day 500 soldiers overran Casa Verde, the command centre of the Colombian Revolutionary Armed Forces (Farc). Forty-six aircraft dropped 10 tonnes of bombs on the base during the operation, killing 60 guerrillas and leaving seven soldiers dead, the ministry of defence said.

The bombing and occupation of the headquarters of the 7,000-strong group seemed to represent a new headline policy toward Colombia's two remaining guerrilla groups, the Revolutionary Armed Forces and the National Liberation Army.

Three small groups that heeded a government call to start disarmament by Sunday's election are to be rewarded with two seats in the constitutional convention.

Sunday's vote will bring together in the same convention hall in February a former kidnapping victim and his captor. In the balloting, with 39 per cent of the vote counted, M-19, led by Antonio Navarro, was winning 35 per cent of the vote in the race for 70 elected seats. In second place with 26 per cent of the vote was a six-month-old right-wing group, the National Salvation Movement.

The movement's leader, Alvaro Gómez, spent 50 days as a hostage of the M-19 guerrillas in 1983. Although abstention was high—about 75 per cent in this city—the vote marked a remarkable turnaround in the fortunes of the M-19 group. By the time the 16-year-old group had laid down its arms in March, its ranks had dwindled to 881 guerrillas.

In congressional elections in March, the M-19 won one seat. In

presidential elections in May, Señor Navarro won 700,000 votes, or 12.5 per cent of the vote. On Sunday the M-19 is believed to have received slightly more than one million votes.

The strong showing of M-19 and of the National Salvation Movement marked a breakdown in the 150-year dominance of Colombian politics by the Liberal and Conservative parties. With results incomplete, the Liberals, the party of President César Gaviria, were trailing in third place. The Conservatives are coming a distant fourth.

"The ruling class has lost control of the political process," said Diego Montaña, a veteran leftist who supports the M-19 coalition.

The results seem to illustrate a new phenomenon in Latin American politics: the overnight popularity of little-known politicians. Last year Brazilians elected as president Fernando Collor de Mello, who had been governor of one of Brazil's smallest and poorest states. Last June, Peruvians elected Alberto Fujimori, a virtually unknown agronomist, as president.

The convention is scheduled to meet between February and July and is to have unrestricted powers to rewrite Colombia's 1886 constitution.

The M-19 delegates will represent a break with the conservative mould of Colombian politicians. The M-19 delegation will include the coach of the national football team, the former director of the National Agrarian Reform Agency, three human rights lawyers, three Marxist trade unionists, and nine former guerrillas.

Despite the strong left-wing slant to the delegation, Señor Navarro, a 41-year-old engineer, has advocated a centre-left line on economic issues.

He has called for anti-trust legislation to break up Colombia's industrial monopolies, for privatising many state enterprises by selling shares to employees, and for promoting free trade with Venezuela.

(New York Times)



Victims of violence: Indian women weeping outside the remains of their home in Aligarh in northern Uttar Pradesh, which was destroyed in the ongoing Hindu-Muslim clashes which have killed more than 100 people in four days. In Aligarh alone the death toll rose to 40, officials said.

They reported bomb blasts and some sniping. Large quantities of illegal arms and home-made bombs were also found. A policeman was quoted as saying the city had been turned into an arsenal. The fresh violence came after a local newspaper reported that patients had been killed in

hospital. Officials described the report as "totally baseless". The town has a large Muslim population and, as in other areas, the clashes result from a continuing campaign by Hindu militants to tear down a mosque in the town of Ayodhya and replace it with a temple to their god, Lord Rama.

Fairfax press empire ends in disaster

FROM ROBERT COCKBURN IN SYDNEY

AUSTRALIA'S oldest newspaper tradition, that of the once noble Fairfax group, ended yesterday in receivership.

After its papers hit the streets for 149 years, the group's demise at the hands of Warwick Fairfax, the family's reclusive young heir, is making as good a story as any it has printed in that time. The story also leaves Australia's more contemporary media disasters—those of Alan Bond, Christopher Skase and others—looking merely pale by comparison.

The migrant family from Warwickshire which acquired the *Sydney Herald* in 1841 (it became today's *Sydney Morning Herald* a year later), Melbourne's *The Age* in 1854, and later the influential *Financial Review*, was yesterday forced to submit to banks and junk bond-holders who are owed \$Aus 1.5 billion (about £500 million).

However, if "Young Wocka" Fairfax, 29, as the born-again Christian heir is known, had

listened to any of his many advisers, who included William Simon, the former American treasury secretary, the group's story might have had a different ending. "Wocka's Folly" began three years ago when, as a 26-year-old graduate of the Harvard Business School, he returned to save the Fairfax group from a host of perceived enemies he and his mother, Dame Mary Fairfax, saw as a threat to the group.

He was driven by Lady Fairfax, a vivacious socialite with a mission of regaining personal control of the newspaper group, and followed what proved to be bad advice, borrowing heavily to finance the overpriced buy-out of \$Aus 2.2 billion. His advisers included Laurie Connell, a failed merchant banker now facing charges in Western Australia.

Rarely seen in public or by his staff, Mr Fairfax presided at a distance over continuing wrangles within the family and the boardroom, and over a procession of

executives and advisers, many of whom resigned in exasperation.

The group's titles, which assumed the mantle of liberal quality journalism in Australia, have lost much of their authority as a result. As things turned out, Wocka Fairfax did not know the first thing about newspapers or the art of communication.

"He's impetuous," Vic Carroll, the former editor-in-chief of the *Sydney Morning Herald*, who has written a book entitled *Warwick Fairfax's Folly*, told the ABC news programme. "He's never spoken very much. He's a man of strong convictions and strong religious convictions."

Mr Fairfax and his mother have lost their entire stake in the enterprise. The banks, led by the Australia and New Zealand Group, would like to keep the prestigious titles together, but these are up for grabs, in the same way as Australia's broken commercial television stations.

Some of Australia's leading

writers, including Thomas Kenally, and journalists and politicians have launched a campaign to prevent Rupert Murdoch, whom they cite as having the highest concentration of media ownership in the Western world, from acquiring any part of the group and thereby increasing his 70 per cent ownership of Australia's newspapers. Mr Kenally blamed the Labor government of Bob Hawke, the prime minister, for selling out the country's media to Mr Murdoch and Kerry Packer, and said any further concentration of media ownership would be "a threat to democracy".

Australia has lost seven newspaper titles in the last three years alone. But the government has objected to foreign ownership of the Australian press and rejected approaches by Robert Maxwell to buy *The Age* and other titles during that time. However, if a wealthy investor is not found, the main Fairfax titles and their staff face an uncertain future.

Demands for Ershad to be tried or exiled

FROM CHRISTOPHER THOMAS IN DHAKA

AMID deepening political uncertainty in Bangladesh, opposition leaders yesterday demanded that Hussein Mohammad Ershad, the former president ousted a week ago, face trial or be sent into permanent exile abroad.

The former general's future has emerged as a potentially explosive issue as Bangladesh moves steadily towards parliamentary elections due early next year. He spent his seventh consecutive day sheltering behind the heavily guarded walls of a cantonment in central Dhaka yesterday. His appearance in public would unleash mass demonstrations. Even the army seems embarrassed by him. The big Ershad army stadium no longer bears his name—a small but stinging snub to the man who dominated Bangladesh for nearly nine years after seizing power in a bloodless coup.

There is incredulity that he intends to contest the election, which is likely to be called in late February unless the military intervenes. He could not possibly conduct a normal campaign in such a hostile atmosphere.

So far the army shows no inclination to impose martial law unless the campaign turns excessively violent. Sheikh Fazlul Karim Seim, editor of the mass-circulation daily, *Banglar Bani*, said he believed the military wanted to confine itself to a policing role. He said that, regardless of who won, the military would still influence the civil administration, the police and foreign service because so many of its appointees occupied senior positions.

Sheikha Hasina Wazed, leader of the opposition Awami League, regarded as the likely victor if the election is not rigged, said yesterday: "Ershad should be tried. He ruined the economy. His corrupt government tortured and killed our people." She said her party would settle for his exile.

In a pruning of the administration, the acting president, Shahabuddin Ahmed, has dissolved powerful district councils and sacked city mayors appointed by Mr Ershad.

Western aid organisations reopened their offices, textile factories, which produce the country's main export, resumed work, and banks reopened yesterday.

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APPRAISAL ON THE CHEAP

Kenneth Clarke has been characteristically robust in his first switch of policy as education secretary. Brushing aside his predecessor's appraisal for teachers, he is introducing a system for which he makes the highest claims. It will be simple but effective. It will be popular with teachers and parents. It can be done for nearly nothing. Mr Clarke's pitch is that of a salesman who has suddenly discovered that a rival concern — in this case, the Labour party — has launched a competing product, and with an election no more than 18 months away, that comes as no surprise. But parents and teachers alike will want to know whether the product is any good.

In principle, there is a strong demand for it. Parents have a right to know that their children's teachers are being monitored, their weaknesses spotted and their strengths developed as a matter of course. Teachers should benefit from the sort of scrutiny and career development that is now commonplace in the commercial world.

The supply to meet that demand was never going to be delivered by the voluntary scheme favoured by John MacGregor. The dead hand of educational and professional conservatism fell upon it. Though the teaching unions were coming round to the notion, some education authorities were not intending to introduce appraisal at all in the next two years. Others were to assess teachers who volunteered only.

The decision to go for compulsion deals with that problem. Teachers and their unions should have no fear of it. Indeed, some of the education secretary's colleagues on the back benches may feel that he has leaned too far backwards to curry the teachers' favour. Why, they will ask, should individual appraisals be kept from the governors, who bear the ultimate responsibility for the good running of the schools? Why not make the link with pay and

discipline explicit? These are powerful arguments, and in due course, the education secretary will have to address them. But the scheme must first get off the ground. A degree of compromise is justified so teachers do not approach it in a spirit of defensive defiance. Appraisal, as Clarke conceives it, is primarily a tool to improve the performance of the average teacher, not as a means of providing incentives for the best or punishment for the worst. Getting rid of bad teachers is a job for existing disciplinary procedures. Rewarding good teachers should be dealt with through the pay-fixing machinery. Appraisal is aimed at getting more out of the majority of teachers in the middle.

In principle, therefore, Mr Clarke's proposal strikes the right balance. The doubts concern the practical arrangements. The government developed a bad habit in Mrs Thatcher's years. Local authorities were forever being saddled with new responsibilities, while being denied the resources necessary to fulfil them. Mr Clarke has fallen into the old trap; £9 million was needed for a voluntary scheme; £40 million was estimated by the government's advisers as the likely cost of a compulsory one. Yet Mr Clarke is providing only £10 million.

He hopes that the simplified system he has introduced, featuring out-of-hours training and a workload concentrated on senior teachers with fewer classroom commitments, can prove as effective as the more expensive alternatives on offer. But consumers know that what is bought cheap often turns out to be shoddy. That is only too likely to be the case with Mr Clarke's reforms.

He needs to think again, and if necessary, argue again with the Treasury about the resources to be devoted to the scheme. Neither parents nor teachers will thank him if his much-vaunted reform goes off at half-cock.

WALESA CLAIMS HIS CROWN

Long before he received three quarters of the votes cast at Sunday's presidential run-off in Poland, Lech Walesa had considered the office rightfully his. He had created and led the greatest popular movement in the history of resistance to state communism, and done so for nearly a decade before Solidarity entered government in August 1989. For a year or more, Mr Walesa persuaded himself that he did not want the job. Only when the bleakness of Poland's prospects gave rise to panic did he decide to submit himself to the democratic test. At that point, the election from Gdansk nearly came unstuck. In view of the manner of his victory he would be wise even now not to take the confidence of the Polish nation too much for granted.

Mr Walesa saw President Jaruzelski's acceptance of a coalition government of communists, independent "experts" and Solidarity activists under Tadeusz Mazowiecki as no more than a partial abdication of power. While an economic "miracle" remained elusive, the communist bureaucrats either stayed in office or were supplanted by similarly unpopular placemen of Solidarity. Disillusionment with the government grew. Mr Walesa decided that the reputation of democracy itself was at stake.

Thus Lech Walesa threw his influence behind the clamour for a far more radical break with the past, while holding more or less to the deflationary economic course set by the finance minister, Leszek Balcerowicz. That was the Walesa ticket. It was calculated to appeal to the sense of injustice and wounded pride which most Poles still nurse whenever they think of the wasted communist epoch.

Having sensed that the seismic political shift across central Europe which began with the 1989 revolutions had not yet ended, Mr Walesa placed himself to the right of the predominantly social democratic ruling group in Warsaw. The latter nominated the prime minister, Mr Mazowiecki, as their candidate. This election offered Poles their first chance to express a preference between two wings of the democratic spectrum, even though neither candidate had a true party behind him. Shortly before the first round, however, a "third force"

emerged in the shape of Stanislaw Tyminski. A Canadian tycoon of uncertain provenance, Mr Tyminski outflanked Mr Walesa by promising the earth to the dispossessed. A statist libertarian and expatriate patriot, Mr Tyminski became the idol of everyone who felt let down by Solidarity.

It was then that Mr Walesa's fabled political nous failed him, perhaps for the first time since he was surprised by the imposition of martial law in 1981. Confident that he alone spoke for the common man, Mr Walesa first tried to ignore the would-be usurper, then sought to woo back the hordes of Tyminski supporters by outdoing him in blackguarding the government and its media "intellectuals". Stung by this, Mr Mazowiecki's supporters accused Mr Walesa of dictatorial ambitions and of stooping to anti-Semitism. Mr Tyminski overtook Mr Mazowiecki in the first round.

Round two was scarcely more edifying. Mr Walesa crushed his rival with an *ad hominem* campaign of sustained ferocity — at a price. Though the insults Mr Walesa hurled at Mr Tyminski were more credible than the other way about, the campaign served only to deprive the new democracy of most of its remaining dignity. Nearly half the electorate stayed at home on Sunday, failing to participate despite 50 years of exclusion from democracy.

Now Mr Walesa has a chance to redeem himself. Abstentions notwithstanding, he can claim support from all classes, from all age groups, from Warsaw as well as the countryside. A mandate that broad may never exist again, as politics in Poland becomes further polarised in the run-up to free parliamentary elections next spring.

Mr Walesa has discovered the limits of his popularity. He would be unwise to seek to extend his powers before he and the new parliament ratify a democratic Polish constitution next May. This elected president should have no need to copy the military men on horseback from Poland's past. As the only thoroughbred in the Polish political stable, Mr Walesa deserved to win. As he celebrates, let him not forget that the Polish people remain in the saddle, not the other way round.

AN ELECTRIFYING OFFER

The electricity privatisation was deemed "an outstanding success" yesterday by energy secretary John Wakeham. In what way? Though the issue was ten times oversubscribed, only one in ten of the people who used to "own" the electricity industry will now do so. Most of the latter will either sell their shares and pocket the profit immediately, or simply stuff the certificates under their mattresses with no thought of risk, entrepreneurship or small people's capitalism.

Mr Wakeham declared portentously that "the continued overwhelming public interest in participating in privatisation shows the public's support for the regional electricity companies and for privatisation." This is genteel rot. The public cares not a fig for the regional electricity companies and not much for privatisation. Most polls show, if anything, that people think too many industries are being sold off. Had Mr Wakeham decided to sell his aunt's doorknob factory in the same way — with a label round its chimneys marked "money for free" — he would doubtless have been met with the same interest; not in doorknobs, nor in the transfer of ownership, but in the guarantee of a Christmas present from the government.

Conservatives approve of widening share-ownership, partly for the warm feeling it is supposed to induce of capitalism and individualism and a personal stake in the nation's infrastructure, partly because they hope that shareowners, like homeowners, will be more likely to vote Tory. With 11 million shareholders, that makes some 17,000 per constituency if evenly spread.

This is a misconception of what these privatisations have involved. They are another rather expensive way of selling gilt-edged securities to people who normally buy savings

certificates. Such buyers are rarely tempted to buy and sell other shares. Around 60 per cent of the new shareowners hold shares in only one company, and a mere 10 per cent hold shares in four or more. Only 14 per cent hold shares that they bought through the stock market. That institution, and the concepts of risk and reward, remain a mystery to the rest. When Mori interviewed people who first bought shares in British Telecom, it found that 80 per cent thought that in buying their shares they were incurring a low risk or none at all. Over half thought their investment less risky or no more risky than keeping money in a building society.

Moreover, of this sample, only 14 per cent intended to vote Labour, with 53 per cent supporting the Tories, and 31 per cent, the then SDP-Liberal Alliance. It seems that the Conservative government is selling shares mainly to the converted. The British Social Attitudes survey found that shareholders do indeed tend to be more individualist, regardless of their class. Mori sampling shows that 90 per cent of people who own privatised shares also own their own homes, compared with 66 per cent of the total population. The go-getters will always go and get, given half a chance.

What the government gives them is a whole chance. Only once, when the stock market crashed just as the government was selling off its BP stake, have widely-marketed privatisations offered anything less than easy money to anyone who can be bothered to fill in a coupon, write a cheque and find a pin. Ministers want Britons to become risk-takers, yet the less risk is involved in a privatisation, the more successful it is deemed to be. This has nothing to do with people's capitalism, only with "the way they price 'em".

Finding ways to resolve the stalemate over Gatt

From Mrs Ann Clwyd, MP for Cynon Valley (Labour)

Sir, Whatever the final outcome of the Gatt negotiations, now that they have been deferred (report, December 8), developing countries look set to lose out because their views have been ignored by the EC and US.

If Gatt collapses and the CAP (common agricultural policy) thrives, cheap food dumped on developing countries will carry on putting small farmers out of business. A Gatt agreement to cut farm subsidies in the North would give an enormous boost in the long term to food-producers in the Third World. But in return the North is demanding drastic sacrifices by developing countries.

Liberalisation of agricultural markets in developing countries would spell disaster for millions of poor farming families. In the EC and US farm subsidies create surpluses, but for the rural poor of the Third World they make the difference between growing enough to eat and to earn a living or going hungry. The poor have no alternative to working the land and, however cheap imported food, many could never afford to buy it.

In Africa 100 million people are undernourished, and 10 million now face famine. Clearly it is vital that governments promote food production and food security and special allowances should be made for this in Gatt rules.

The British government promised to consider the environmental effects of trade agreements at the Bergen conference earlier this year, but it has not given them a thought. Gatt proposals would severely limit Third World governments' ability to regulate foreign companies involved in logging, dumping toxic waste, or mining. Legislation to protect scarce resources, such as the bans on export of unprocessed tropical timber in Indonesia and the Philippines would have to be repealed because they affect trade.

Developing countries are not in a position to challenge Gatt rules.

Poll tax review

From Mr Andrew Turner

Sir, By "reviewing" the community charge the government implicitly accepts the blame (or credit) for anything that follows — yet, without significant policy changes, the initiative in setting high charges will remain with local councils.

The public's principal concern is the level of the charge. No matter how much external finance is raised, a local council, it will — with one or two exceptions — be charged what it can get away with. The government has no power to ensure even that the £3,000 billion extra for 1990-1 will relieve the chargepayer.

Even the total removal of education spending from council budgets would in some authorities merely allow receipts from the same level of charge to be spent elsewhere, while longer-term arguments would take place about the proper level of spending which the government should support.

We now know that the government has no power to limit the level of the charge — only the total of a council's spending. That anomaly should be rectified without delay. The 1990-1 charges should have been universally capped to hold spending at 1989-90 levels plus inflation: in fact local government spending massively increased over that period.

But information is the lubricant of democracy — even now the government could publish clearer figures showing, for each au-

The punishment is severe trade retaliation by the North, something that developing countries, desperate for foreign exchange to pay debts and buy imports, cannot risk.

It is up to the negotiators from all countries to ensure that whatever they finally agree does not stifle development or environmental protection.

Yours sincerely,
ANN CLWYD (Shadow minister for overseas development),
House of Commons,
December 8.

From Professor Emeritus D. K. Briçon

Sir, The refreshing realism of Michael Hornsby's article (December 5) on agricultural subsidies should be welcomed. The present deplorable impasse in the Gatt negotiations would never have been reached if the plain message that "trying to keep all small farmers in business is unrealistic" and that "ultimately incomes can be sustained only by reducing the number of farmers" had penetrated the thinking of those who shape European agricultural policy.

The arithmetic is not complicated, though it may be brutal, even for Britain with its favourable farm-size structure. Farm workers are now asking for a minimum of £9,360 a year (report, December 4). If a family farming today requires a minimum income of, say, £12,000 — that is, the amount left after paying all their bills for farm purchases, wages, rent and interest — they will have to achieve receipts from sales of about £75,000. On a farm of 40 hectares (100 acres) this means £1,900 a hectare; but the national average on all UK farms is about £1,000 a hectare, even if we leave all the "rough grazings" out of account.

So if the smaller farmers are to survive, most of them will have to intensify production (thereby aggravating the downward pressure of supplies on market prices),

Twyford Down

From Sir Geoffrey Jellicoe

Sir, As landscape consultant to the City of London in the mid 1970s I encouraged the construction of a cut-and-fill tunnel, about 480 yards long, under Epping Forest. This plan was adopted by the ministry and the extra cost has long been swallowed.

I see no reason why there should not be a similar treatment for Twyford Down, with central pillars, at a vastly lesser cost than the awe-inspiring estimate. This cost would soon be swallowed, but the mangled body would be there for ever. What is proposed would be like a surgeon's cut across the flow of the arteries.

Yours faithfully,
GEOFFREY JELICOE,
14 Highpoint,
North Hill,
Highgate, N6,
December 1.

Light of liberty?

From Mr Tim Miller and Mr Anthony Barnett

Sir, The open society that the prime minister calls for is extremely unlikely if not impossible without constitutional changes.

Thus Mary Ann Sieghart's article ("Is that liberty's light ahead?", November 29) which argues that John Major should put aside his predecessor's "illiberalism" is especially welcome.

We support her suggestions for much less secrecy, for the equivalent of a British Bill of Rights, for independence for local government, for replacing the House of Lords with a democratic chamber and for electoral reform. In effect, these would add up to a new constitution, along the lines called for by Charter 88's supporters.

John Major himself, speaking this week at his official endorsement as leader of his party, says that constitutional evolution is part of the Tory credo. So far, however, few Conservatives have joined us in working towards a new constitutional structure. Perhaps your readers could help explain this increasingly out-of-date reticence.

Yours sincerely,
TIM MILLER
(Chair of the Executive),
ANTHONY BARNETT
(Coordinator),
Charter 88,
Panther House,
38 Mount Pleasant, WC1,
December 6.

Stress in Ambridge

From Mr Robin Rhoderick-Jones

Sir, Dennis Marshall-Hasdell (December 1) may be right to envy Ambridge its isolation from last month's political upheaval; but he can hardly describe the village as "a tranquil haven".

Shula is sinking into a deep depression as a result of losing her baby and until recently was in grave danger of being dropped, at least spiritually, by her husband. Jill and Keaton are distraught. Jean-Paul (the finest chef in Dorsetshire) has caused almost terminal anguish to his erstwhile employer by transferring his loyalties to the silky Nelson and his wine bar.

The Royal Air Force has wrought pre-Christmas havoc among Clint and the rest of Joe and Eddie's turkeys; and Peggy's forthcoming marriage to Jack Woolley, although to be performed by the notable Cyril Bishop of Felpham, has caused a deep schism among her anyway impossible children.

or else attain a level of economy in the use of resources far above anything they have known.

Some may escape from this trap by enlarging their boundaries, but this, though responding to the realities of the situation, can only be done at the expense of their neighbours, thus defeating the supposed aim of "keeping all small farmers in business".

The other way of escape is to increase income from non-farming sources. There are signs that farmers and governments, each in their own way, are moving in that direction; but the price of their unreadiness has been incalculable.

Yours faithfully,
DENIS BRITTON,
29 Chequers Park,
Wye, Ashford, Kent.

From Mr M. S. Living

Sir, When discussing the very real possibility that the current round of Gatt talks will finally end in failure when they reconvene in January, it is well to look at who within the EC would actually benefit (in the short term) from such a failure and the trade war which would follow. It is perhaps not surprising that the main beneficiaries would be France and Germany, whose "obstinacy" is being blamed for failure to agree.

A trade war would enable Germany and, to a lesser extent, France to establish themselves in an unassailable position of industrial dominance within the EC, freed as they would be from the competition of America and Japan. This dominance would be further assisted by cutting off British and Dutch industry from their inter-continental markets.

In considering the potential advantages which would flow to the Germans in particular in the event of a trade war, the obstinacy that they are showing in protecting their farmers becomes much more understandable.

Yours faithfully,
M. S. LIVING,
30 Kempford Gardens, SW5,
December 10.

Major's defence tasks

From Professor Geoffrey Lee Williams

Sir, Now that we have a prime minister, with an open mind, I would respectfully suggest that Mr Major turns his attention to the Single European Act which, inter alia, under article 30, refers to the need for a defence-industrial policy at the European level. There are now three reasons for him to put this matter on the agenda.

First, the increasing unlikelihood that the German government will procure the European fighter aircraft, even though they are funding the R&D for the project (report, November 27), in effect puts in doubt the future of this multi-national project, in which Britain has a 33 per cent share. The potential loss of a sophisticated new aircraft for Nato has serious strategic implications for the future.

Secondly, the expected job losses at British Aerospace arising from the cancellation of 30-plus Tornado fighter aircraft — with further job losses to follow — highlights the Kleiwarton Beeson securities report about the bleak prospects for the defence-related industries in the UK (report, November 30).

Thirdly, at the European level, the takeover of MBB (Messerschmitt Bölkow-Bohm) by Daimler-Benz in Germany, together with the emergence of Sextant Avionique in France, a joint subsidiary arising from the merger between Aerospatiale and Thomson-CSF, has created Europe's largest defence avionics supplier. This raises critical questions concerning the future structure of European defence industries.

Does the cabinet have the will to play a really constructive part in hammering out a European defence industrial policy with its European partners?

Yours sincerely,
GEOFFREY LEE WILLIAMS,
Institute of Political and Economic Studies,
18 Warwick Street, Cambridge.

Age discrimination

From the Director of Age Concern England

Sir, Mr Bryan Cassidy, MEP, rightly raises the point (November 28) that age discrimination in employment is not just a British problem. Although legislation exists in France to ban age limits in recruitment advertising and to encourage the employment of older workers, the problem is still endemic in the rest of the EC. It is detrimental to the British and surely other economies as well as distressing and unjust to the individual.

The campaign to ban ageism in recruitment, launched on November 21 by the Alliance Against Ageism, is directed equally at the public, private and voluntary sectors, and indeed at the media which frequently carries and therefore perpetuates the scourge. Age Concern is also involved in a campaign at a European level through Eurolink-Age on this issue. We hope that the European Parliament will decide to take up and act upon this issue.

Yours faithfully,
SALLY GREENGROSS,
Director,
Age Concern England,
Astral House,
1268 London Road, SW16,
December 4.

Going downhill fast

From Mr Jim Rouse

Sir, You quote Mr Roy Hattersley as saying "Britain must be in the fast lane and on the high ground" (report, December 4). Does he intend to see that Britain goes downhill very fast?

Yours faithfully,
JIM ROUSE,
104 Overstone Road,
Swell, Northampton.

Warm tribute after cold night

From Mr John Lloyd

Sir, I was one of thousands of motorists stranded on the M6 during the blizzard last Saturday, trapped for almost eight hours on the Birmingham elevated section of the M6. I constantly listened to the traffic news on West Midlands radio to hear the worsening road reports. Early in the evening I heard the offer of shelter by the National Exhibition Centre for all those motorists who could get there. This offer was the one piece of good news amidst all the bad.

I eventually got to the NEC at about 10.30 pm, tired and exhausted, to be given free food and drink and a warm place to sleep for the night. For this I was very grateful; so, I am sure, were the other 1,000 or so motorists who managed to reach the NEC.

The NEC management and staff reacted promptly and efficiently and by their kindness saved many from a cold night in their cars. Thank you.

Yours sincerely,
J. LLOYD,
48 Bury Road,
Old Harlow, Essex,
December 9.

From Mr Hugh Lowe

Sir, Can our environmentalists confirm that the apparent severe reduction of numbers in yet another species — the council grunting lorry — has been caused by global warming?

Yours faithfully,
HUGH LOWE,
Barons Place, Mereworth,
Nr Maidstone, Kent,
December 9.

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JIM ROUSE,
104 Overstone Road,
Swell, Northampton.

NOTICES

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Black beauty on all the rails

Designers, high street shops and partygoers are betting on the little black dress again this season. Liz Smith picks a handful of winners

Every dress you design in red, pink or blue always ends up looking better in black, according to Bruce Oldfield. There speaks a designer capable of creating some of the friskiest frocks in the business, worn by such unshrinking violets as Joan Collins and Marie Helvin, and now he admits what we suspected all along.

The little black dress is chic. Women look good in it. Designers lavish their best talents on creating it. And if the Christmas windows in every high street are anything to go by, retailers this season are banking on it.

Coco Chanel launched the little black dress on its lengthy social life in the Thirties, when she lay back on her chaise longue for Cecil Beaton's celebrated portrait of her in simple black and a ton of fake jewels and pearls. But it was Audrey Hepburn as Holly Golightly in *Breakfast at Tiffany's* in a cutaway black dress, who taught every woman on a tight budget how to dress up to look chic.

Even in a year when bright colour is in fashion the little black dress, known as the LBD by the dedicated partygoer, who usually has several of them in her wardrobe — is not missing out on the fun. The Queen's party at Buckingham Palace tomorrow night is probably the only event at which it will not be seen this season; the royal guests are delving into their wardrobes — and wallets — to get more dressed up for this one.

The designer David Sassoon never gets tired of creating the short black dress. This winter his variations include a strapless velvet dress with gold embroidery on the bust, a wrapover black crêpe dress with jet beaded fringing shimmering around the asym-

metric hem, and an off-the-shoulder short number in black tulle with sequined sleeves (expect to pay from £400 to £800 at Bellville Sassoon). "Black is never boring, though I love colour," he says.

Marc Bohan, the former couturier at Christian Dior in Paris and now at Hartnell in London, loves creating the little black dress. "There are so many ways to make it fun, first with the fabric, and then the cut," he says. The simplicity of the perfect short black dress with, say, one diagonal shoulder-strap is achieved only in an haute couture atelier, he believes. "There is no chance to make a mistake when a woman wears a little black dress, but too many around the dinner table does not make it look very amusing."

Bruce Oldfield conjures up his perfect little black dress. "It skims the curves without being dented in to fit, has a plain round neck and long tight sleeves. You

zip it closed, dress it up and go to town. It's the oldest fashion cliché in the business," he says. "Whenever I say to myself this is too simple, I imagine a body inside it and know it looks right."

That middle letter is never understood to stand for boring when Murray Arbed dreams up his LBD. "The most important things must happen above the table," he says, describing the deep Medici décolletage he has sliced into a slim, short, black velvet dress in his Pimlico shop this winter. "It is all about subtle shading and texture. Customers try on the bright colours first, but they end up buying in black."

Yves Saint Laurent is the designer who first reinvented a man's satin-lapelled tuxedo as a little black dress. The variations that he succeeds in creating on this classic design (24 totted up in just one recent couture show) have become a set piece that never fails to inspire fashion followers, and invariably draws the loudest applause in the show. He is also the master at draping silk satin into the most sensuous of little black dresses.

True simplicity usually demands quality cloth cut to perfection to be carried off with chic. This season the high street retailers and store chains seem to have tracked down some good-looking bargains priced at under £50. Confident they are on to a long-running seller when they invest in black, store buyers can afford to be adventurous in styling. The choice is wide. Strapless numbers with jet tassel fringing sell at Miss Selfridge for £49.99. Also at Miss Selfridge, a satin-backed crêpe fitted slip dress, the back a criss-cross of satin ribbon, costs just £29.99. Next Directory's

dead plain, round-necked crêpe shift dress is £59.99.

Jaeger's little black dress in black crêpe with drop waist, round neck and long slim sleeves (£169) is distinguished by a very Chanel-like touch, a row of black satin bows down the front. All it needs is a white gardenia pinned to the top bow, a few strands of pearls, and a whiff of Chanel No 5, of course, to achieve a very classy look.

In selected Debenhams stores a black velvet double-breasted dress with off-the-shoulder shawl collar sells for £39.99 (see photograph). Velvety little slips with metal studs hang in Hennes at £44.99. Monica Zipper supplies halter-necked dresses in shiny velvet under her Monix label for £49.99. And stretchy Lycra slip dresses and shimmering little sheaths in black lamé and sequins are available almost everywhere, at a price that should leave money to spare for a pair of giant rhinestone earclips.



Cheap chic in *Breakfast at Tiffany's*

'Audrey Hepburn taught every woman on a tight budget how to dress up to look chic'



Black looks: all dressed up in the quintessential LBD, as sold by Debenhams for just £39.99

Good for no more than a giggle?

Designers went back to the nursery in the Eighties. Is it time they grew up?

THE Eighties are over. By consensus the formal end came on November 22 with the resignation of Margaret Thatcher, in the same week as the publication of *80s Style* — a celebration of the furniture and cult objects coveted by those Eighties people who became known as yuppies and carried designer notebooks called Filofaxes.

The startling fact that emerges from this colourful and — one hopes — none-too-serious gathering of the work of the most admired international designers is that while those at the business end of the "decade of greed" buckled down to earning serious money, most of those who created lustre-artefacts to furnish their thriving lifestyle appear to have reverted to a second childhood. If you thought that Eighties

true future classics emerge: Michele de Lucchi's First chair for Memphis and Norman Foster's splendid drawing and dining tables are outstanding, as are Shiro Kuramata's curvaceous chests of drawers, and side chairs by the 1.9th priest of post-modernism, Charles Jencks. Honourable mentions, too, to Ron Arad, Richard Sapper and Philippe Starck.

Such, however, are the exceptions. The bulk of designers have cared nothing for the political or socio-economic trends of the Eighties, remain-

style was synonymous with matt-black everything, you would be wrong. Certainly that is what the new breed favoured — the Corbusier chaise, the Braun shaver and the Mackintosh ladderback, with the jet black Porsche lurking moodily outside — but they were antiques.

The design ethos of the decade was kicked off by Ettore Sottsass, the founder and guiding light of the Milan-based Memphis furniture group, who wrote the preface to this otherwise entertaining book. His early pieces — such as the room divider with angled shelves covered in iridescent and mismatching Formica laminates — were startling and genuinely amusing. Many were uncertain whether to buy or laugh; most laughed, but if it was a joke it was a good one.

However, this gag has been trotted out for more than a decade, and the language of post-modernism and the grammar of allusion overused to the point of tedium.

Not that anything in *80s Style* could be described as dull, colour, and a high degree of finish, abound and some

Good joke, but told too often: Ettore Sottsass's room divider

ing enthusiastic for their Lego sets, the apparent inspiration for much of their work. Well represented, too, are the openly and jokingly derivative: for example, Robert Venturi's plywood "Chippendale" chairs, or Stefan Zwicky's "Corbusier Sans Confort" chair, so named because the down-filled leather cushions of the original are replaced by blocks of solid, raw concrete.

We can only wonder at the conclusions should historians of the future try to gain any insight into "the way we lived then" from any of this. The joint authors of *80s Style* — who merit no credit on the book's cover — stress the fun of it all. But we wait to see whether in the Nineties designers will tire of the nursery, and put away these childish things.

JOSEPH CONNOLLY
● *80s Style: Designs of the Decade*, by Albrecht Bangerter & Karl Michael Armer (Thames & Hudson, £16.95).

And here's one I made earlier

The best way to personalise your jewellery is to design it yourself

DESIGNING your own diamond ring may sound daunting. But it could be the answer to unsuccessful shopping sorties around high street jewellers. If you find you are not as dab a hand at design as you had hoped there is no obligation to buy the finished piece from Mappin & Webb's personalised jewellery service, available free of charge.

Nor are rings the only option for exercising personal design preferences. Bespoke bracelets, necklaces and earrings can be custom-made to individual requirements.

The process starts with a meeting at Mappin & Webb to discuss ideas with the company's designers. Size, colour and shape of stones are considered, along with style of setting and price ceilings. Colour sketches follow for approval, and the piece is then made up as a wax arrangement containing the chosen stones.

Colouring the wax arrangement in gold or silver around the stones means the design comes to life at a stage where it can still be altered.

Setting the stones in wax is also a practical way of re-designing existing jewellery in a new setting — for example, if bedrooms need updating. The entire service usually takes three or four weeks, but Mappin & Webb says it can complete jewellery by Christmas, so long as the design is not very complicated.

Honor Carter, an American now living in Britain, failed to find an engagement ring she liked in London's Hatton Garden jewellery quarter. "I just didn't want something that anyone else in the street could be wearing," she says.

"I couldn't understand why the London jewellery shops didn't respond when I said I had a substantial sum to spend. I knew I wanted an oval stone and yet they told me there was no such thing as an oval-shaped diamond."

Mappin & Webb's personalised jewellery service appealed to her, however. "When the diamonds were set in wax we got a good idea of how they would look together. And the opportunity to set it on my finger gave me the confidence to proceed with the design."

"When I saw it I was really



Ring of confidence: but if you don't like it, don't buy

knocked out. When you are going to spend several thousand pounds on jewellery you want it to be special."

● Mappin & Webb, 106 Regent Street, London W1 (071-734 5842); or Knightsbridge, Queen Victoria Street and Fenchurch Street; also in Manchester, Edinburgh, Glasgow and at Nathan's in Birmingham.

ADVERTISEMENT

Fortnums hamper on after 10 December

Fortnum & Mason have announced that you can still order your hampers — even if one has missed their order closing date of 10 December. Due to a late demand they have just introduced an Express Delivery Service for orders received by 18 December. So, all is not lost for those who thought they had missed the boat... or van!

Ring Telephone Orders 071-465 8666 or visit the Hamper Department to place your order now.

Some of the hampers available for Christmas Delivery:

Food Hampers	Wine Hampers	Gift Packs
Berkeley £100	St Nicholas £100	Champagne & Chocolates £32.50
Duke £70	Chairmans £85	Christmas Box £30.00
Earl £50	Directors £60	Chablis & Smoked Salmon £27.50
Statesman £40	Executive £40	Port & Stilton £22.50
Express Delivery Charge £12.50 per item		Express Delivery Charge £7.50 per item
UK Mainland only.		UK Mainland only.

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181 PICCADILLY LONDON W1A 1ER

Frederick the Great, Sir Alton...
Mr Rex S. Johnson, Mr Harold...
Could Mr Derek T. Jones and...
Conington chairman, resident...
William...

Family Division of the High Court, in April.

PLEASE REMEMBER US

Arthritis is one of Britain's most widespread diseases. It affects about 8 million people of all ages including some 15,000 of our children. The Arthritis and Rheumatism Council currently spend £11 million on research, only 2/4p in the £ going on administration. Donations In Memoriam form an important source of income. We receive no State aid and rely entirely on voluntary contributions. Please remember us if you decide to make a donation to charity in memory of a loved one or in place of funeral flowers.

THE ARTHRITIS AND RHEUMATISM COUNCIL FOR RESEARCH
Working to find an earlier cure

See local telephone directory or Yellow Pages for local ARC Representative
41 Eagle Street, London WC1R 4AR.

I ask you to accept the attached donation of £ in memory of a loved one in place of funeral flowers.

☐ Please charge my Access/Visa/American Express Number: _____

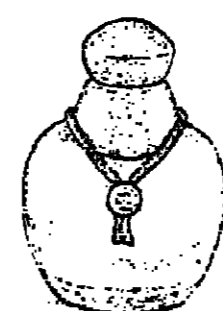
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Patron, ARC The Duchess of Kent Registered Charity No. 207711

A SEASONAL GIFT FOR YOU FROM OLEG CASSINI...

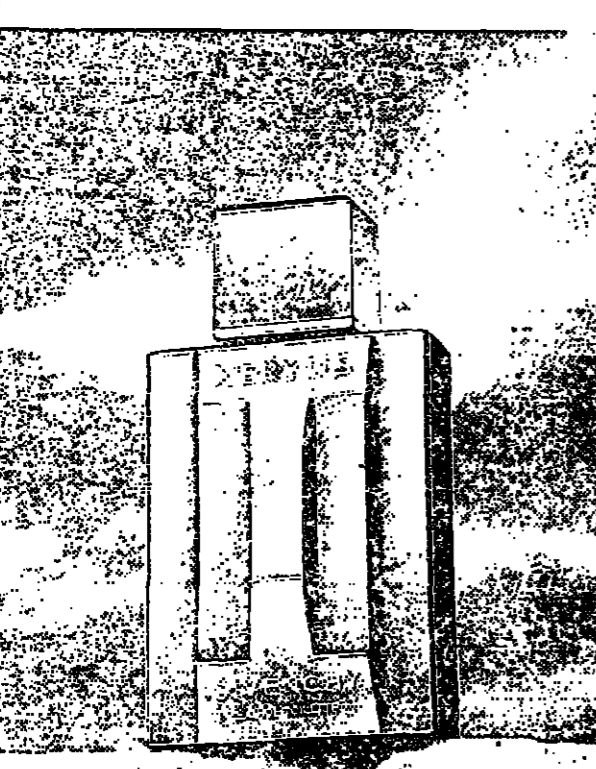


A beautiful Cassini evening bag to hold your Cassini perfume purse spray for those special evenings. This gift is exclusive to Harrods with the purchase of two or more items from the range, one of which should be the purse spray. Visit or call the Cassini counter at Harrods to receive your gift. Offer open only while stocks last.

Harrods

Harrods, Knightsbridge, London W1. Tel. 071-734 1211

Happy
XERYUS



GIVENCHY

Anna, daughter of Mr and Mrs Eric Sergeant, of Quanton.

Trevethan took place on Monday, December 10, in Chelsea.

Frederick the Great, Sir Alton...

Mr Rex S. Johnson, Mr Harold...

Could Mr Derek T. Jones and...

Conington chairman, resident...

William...

Family Division of the High Court, in April.

following day.

President.

BRIEFING

Appealing souvenirs

LETTERS written by Sybil Thordike and Lilian Baylis will be under the hammer later this week. So will copies of Shakespeare signed by practically everybody at the Royal Shakespeare Company and a programme for *Richard of Bordeaux*, the play in which John Gielgud scored a huge success, 60 years ago.

Those, and dozens of other theatrical memorabilia, are being sold on Saturday at a Christmas party at Fred's Place in Soho, in aid of the Young Vic, which is now within £100,000 of the £350,000 it needs to survive. Tickets, £35 each, from Lady Mayer on 071-495 0130 or the Young Vic on 071-633 0133.

Letters of the law
AN AMERICAN pressure group, the National Coalition on Television Violence, is threatening to drown that country's cinemas in alphabet soup. Spurred on by dislike of Hollywood's new NC-17 rating, first awarded to *Henry and June*, the group proposes erecting a network of local censor boards, armed with a vast arsenal of letters and numbers. Ratings would be applied to pinpoint areas of special concern: A (adult situations), D (dangerous drug usage), M (nudity), P (perversion), S (sexual), V (violence), VV (very violent), VVV (very very violent). Jack Valenti, president of the Motion Picture Association of America, responsible for the existing certificates, predicts "a confusing mess" if the Coalition's scheme ever becomes a reality.

Just an orchestra
PRETENTIOUS names for chamber orchestras, part 94: the English conductor John Eliot Gardiner has launched a new period-instrument orchestra, called (despite its entirely British origins) Orchestre Révolutionnaire et Romantique, to play 19th-century music in the authentic manner. Is this the most self-important name ever invented for a period-instrument ensemble? There is strong competition. Consider the Academy of Ancient Music, the Orchestra of the Age of Enlightenment, the Orchestre Les Arts Florissants... and, of course, Jean-Claude Malgoire's orchestra, entitled - with a flourish of Gallic rhetoric - La Grande Ecurie et la Chambre du Roy.

Last chance...
ENGLISH National Opera's double-bill of *Fennimore and Gerda* and *Gianni Schicchi* promises an essay in contrasts. There can hardly be two near-contemporary operas more different than Debussy's lyrical, pastoral tale of Nordic love and Puccini's brash, brilliant comedy. *Gianni Schicchi* is the more successful half of the bill: the production brims with life, responding to Puccini's blend of grossness and wit. The final performance is on Thursday at the Coliseum (071-836 3161).

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APPEARANCE THIS SEASON

Director John Caird (centre, left) and composer Stephen Schwartz rehearse with some of the 38-member cast of *Children of Eden*

Faith in a good book

With a biblical epic imminent, Jim Hiley questions whether huge budgets guarantee either profit or pleasure in musical theatre

Moe cost £17,500, yet proved handsome enough to enchant the critics at Stratford, and quickly became the hottest ticket in town. By contrast, the co-producer of *Children of Eden*, Patricia MacNaughton, describes advance bookings as "solid, not amazing".

The Royal Shakespeare Company's John Caird, who shared responsibility with Trevor Nunn for *Les Misérables*, scripted and directed *Children of Eden*. Caird remains confident that audiences will enjoy "losing themselves" in another dense narrative with music.

"The first scene shows the 'Creation', explains Caird. "Within three-quarters of an hour, Adam and Eve have two teenage sons. Thirty minutes later, Eve is dying, surrounded by her great-grandchildren. A thousand years pass during the interval, then Noah appears, hammering the Ark together. 'I see my role as finding how far the audience can be persuaded to suspend disbelief. The less brave I am, the more bored I get.' But Caird shuns the technological excesses of some colleagues. Like *Les Misérables*, he insists, *Children of Eden* is a "human epic".

Biblical scholars may be troubled by Caird's humanising methods. Far from ageing and omnipotent, God grows older and wiser as events proceed. Women have been given a prominence denied them in Genesis. "The Old Testament is appealingly sexist," says Caird. "We had to put that right from the word go."

His wife, Frances Ruffelle, plays a character called Yonah, a daughter of the tribe of Cain whom Japheth insists on taking into the Ark, and later marries. Caird says he invented Yonah not to provide love interest, but to emphasise a theme of reconciliation between the generations which, he says, is theologically justified. "I don't believe anyone will find our story offensive. We're filling gaps in writing that begs to be imaginatively reconstructed."

Children of Eden's progress to London has been lengthy and fraught. It was planned five years ago as an oratorio for the vast Crystal Cathedral in California, with a script by the designer Charles Lisanby. The score is by Stephen Schwartz, who set the New Testament to music in *Godspell*. By the time Caird came aboard in 1987, they had managed a try-out, at a convent.

"The trouble with the script," says Caird, "was that almost every big event happened offstage. I began to take over more and more of the writing, to get rid of all the 'Greek messengerism'." As Caird's role expanded, Lisanby's departure became inevitable. "It was unpleasant at times, but I think Charles is happy now. He gets a credit in the programme for 'original conception' - Caird does not smile at this faintly biblical term - "and considerable financial participation."

Children of Eden was scheduled to open at the Barbican this autumn as a co-production with

the RSC. When the RSC closed its London base temporarily, the musical lost a home and £500,000 of production resources. It was saved by Japanese businessmen.

Five Guys Named Moe also struggled into existence, starting as a green-room cabaret at The Crucible, Sheffield, and progressing to late-night shows at the Cottesloe. The American-born actor Clarke Peters admits that his script is little more than a pretext for the performance of 20 numbers associated with Louis Jordan, the rhythm 'n' blues pioneer.

Peters paid for the Cottesloe venture with £2,500 from his savings, and was then invited to mount a production at Stratford. The Theatre Royal's director, Philip Hedley, tried unsuccessfully to raise extra funds from several West End impresarios, and finally raised his pantomime budget to help bring Chapman Roberts and Charles Augins from America, as vocal arranger and choreographer. They drilled the cast in the breathtaking song-and-dance techniques.

"Rehearsals were like being back at school," says Peters. "You needed to warm up for the warm-ups." Such were the demands that a couple of actors left the cast. But the first night was a triumph, and Hedley was suddenly besieged by producers, desperate to finance a West End transfer.

MacNaughton and Peters have agreed to preserve the simplicity of the Stratford version, though the costumes have been re-made and the bandstand has been re-torn. "Minimalism stretches the performer," Peters says. If that is true, his show will probably outlive the expensive charms of *Children of Eden*. Either way, musicals seem likely to rediscover moderation as the 1990s unravel.

Children of Eden previews at the Prince Edward Theatre (071-734 8951) from December 19. Five Guys Named Moe transfers to the Lyric Theatre (071-437 3686) from Friday.

RECORDS: CLASSICAL

Full, rich and ripe for hearing

EVEN the best Italian orchestras tend to be a bit like average Chianti wines: often very acceptable, always characterful, but sometimes a little rough-edged in character. The Orchestra dell'Accademia Nazionale di Santa Cecilia is no exception, so it was brave, if typical, of Leonard Bernstein to make a live recording of orchestral music by that most challenging of orchestral composers, Debussy.

Bernstein, of course, cannot hide the lack of sophisticated sheen in this orchestra's string sound, nor the want of smoothness among the woodwinds. Yet his role as an inspirational figure is never in doubt, and the lively and colourful spirit of these performances goes a long way towards compensating for technical shortcomings. There are even moments - the first movement of *La Mer* is one - where one is unexpectedly enveloped in richness, where the music's full emotional power really tells. Elsewhere, however, the Italians paint this music in primary colours, attacking much of *Images*, for instance, with an endearingly rumbustious gusto.

Ideally, of course, music such as this, and the *Prélude à l'après-midi d'un faune*, benefits from subtle blending, but Bernstein proves his greatness and humility by sensitively exploiting the tools at his command, so that, at the very least, the disc makes for a fascinating mix of three cultural archetypes.

Leonard Slatkin's disc of Copland, with the Saint Louis Symphony Orchestra, is brilliantly played, proving a worthy tribute to the composer who died last week. Like Bernstein, Copland is too often dismissed as a musician who gears his art so that it appeals to the lowest common denominator. Sometimes his ideas and

Debussy: *Images/Prélude à l'après-midi d'un faune*, La Mest. Orchestra dell'Accademia Nazionale di Santa Cecilia/Bernstein. DG 429 728-2 (compact disc).
Copland: *Symphony No 3/Music for a Great City*, Saint Louis Symphony, RCA Victor Red Seal R60149 (compact disc).
Copland: *Piano Music*, Alan Marks, Nimbus NI 5267 (compact disc).
Tippett: *Choral Music*, Choir of Christ Church Cathedral, Oxford/Darlington, Nimbus NI 5266 (compact disc).



Poetic: Sir Michael Tippett

structures are indeed simple and easily assimilated, but that he was capable of satisfying the intellect as well as the heart is clear from a work like the Third Symphony, composed between 1944 and 1946. While unashamedly evocative of the American archetype, it is also a cogent symphonic structure, deftly orchestrated, dramatic and essentially warming in spirit. The substantial filler on Slatkin's disc is *Music for a Great City*, which was composed for the 1961 film *Something Wild*. Even though the sounds are aggressive

and modern, this colourful and exciting music cannot hide - nor does it pretend to - its original function as film music.

Alan Marks makes a valuable contribution to Copland's birthday celebrations with a recital devoted to the composer's piano music. The centrepiece here, of course, is the *Piano Variations* of 1930. But the disc also includes a number of lighter weight: the vigorous and evocative "Four Dance Episodes" from *Rodeo*, the four "Piano Blues" and Marks' own arrangement of one of the "Old American Songs", Copland's equivalent to Britten's English folksong settings. Throughout, Marks plays with a bright tone and infectious rhythmic buoyancy, and the recording, by Nimbus, sounds admirably natural.

Sir Michael Tippett's recent association with the same company, which began last year with a disc that featured the composer himself conducting the "Ritual Dances" from *The Midsummer Marriage*, is pursued further in a record devoted to his choral music, this time conducted by Stephen Darlington. As well as the ubiquitous "Five Negro Spirituals" from *A Child of Our Time*, the disc includes the first ever recording of *Crown of the Year*, the cantata on words by Christopher Fry, besides shorter works like the double choir motet, "Plebs Angeba", the madrigal dance, "Claron Air", and the lovely setting of the Northumbrian folk song, "Bonny an' Morn", this last work complete with its lovely trio of gently piping recorders. All are sung by the Choir of Christ Church Cathedral, Oxford, with remarkable exactitude and sensitivity, qualities apt for Tippett's muscular times and unflinching poetic sensibilities.

STEPHEN PETTITT

CLASSICAL MUSIC

In tune with the role of youth

THE Royal Opera may not be winning the highest accolades for business acumen at the moment, but, in its Young Artists in Recital series, it has hit on a quietly shrewd formula for enlightened promotion. These monthly lunchtime events in the Crush Bar not only capitalise on London's seemingly unquenchable thirst for song recitals, they are also Covent Garden's answer to the widespread accusation that, obsessed with the snakes and ladders of top international casting, the house is simply not doing enough for the careers of young singers.

At one level, the series is a shop window for the Opera House's own Young Singers Programme, which has been running on quietly behind the scenes for two or three years before finding official identity in September 1989. At that point, John Dobson, senior company bass, took over as director. His charge is the welfare of young protégés who, selected from some 200 auditions a season, may be offered either a permanent company contract, cover roles or small parts.

The public becomes aware of the workings of the scheme primarily when a principal falls ill and everyone has to move along one place. Justin Lavender, for example, took over from Chris Merritt as William Tell last April, and young Alasdair Elliott suddenly found himself in Lavender's role as the Boatman Elliott will have his recital next May. Linda Kitchen, Tell's son, will perform hers in March, and Mark Beesley, who gives the next recital on January 22, will be taking over as the Minister in the next run of *Fidelio*.

The company is conscientious in its searching (members of the panel may regularly be spotted in the audience of college and fringe productions up and down the country), generally sensitive in its matching and timing of roles, and seems genuinely anxious to expand the scheme as far as is possible within the constraints of an international house.

The recital series, though, is also a showcase for young singers who

may not yet have been offered roles, but with whom the Royal Opera clearly wants to keep in touch. Such a one is the Icelandic tenor, Gunnar Gudbjörnsson, whose recital last week, attended by an audience of 80 or so, was something of an event. On the basis that an opera singer cannot live by voice alone, Covent Garden recommended Gudbjörnsson to the National Opera Studio where he is now building up his stage technique. The voice alone, though, is a force to be reckoned with. This is a tenor whose low register has a ringing baritone strength, and who, at the top of the voice, slices the air with a silvery glint characteristic of the Nordic voice and inevitably reminiscent of Nicolai Gedda, with whom he has studied. Apart from small roles at Opera North and Buxton, Gudbjörnsson has, so far, been seen in Britain only as Welsh National's Ferrando in *Così*.

His recital revealed not only the stamina and nuance of this distinctive voice, but also introduced its audience to the virtually unknown Icelandic song repertoire of this century. Much of the earlier work tends to take the form of conventional, European-influenced romantic settings of folk-derived melodies, whose own pedigree dates back to the ancient *rimur* or metrical romances and the *sagnadansar* or ballads. Jón Leif, the doyen and, in many ways, the Bartók of Icelandic music, was represented by a short, austere "Vogvissa" (Cradle Song), the voice a dark, bending monotone above the piano's oscillating ostinato. The younger generation of a country with an unusually high proportion of composers to population, many of them particularly sensitive to the voice, was glimpsed in Jón Þórhannsson's "Bird at the Water's Edge", and two songs, Janáček-like in their stentorian word setting and terse accompanying images, by his pupil, Gunnar Reynir Sveinsson, a distinctive voice in theatre music in Iceland.

HILARY FINCH

RADIO

Politics in the margin

THE Chief Rabbi of the Commonwealth has sent me a mild reproof for accusing The Reith Lectures (Radio 3, Wednesdays) of not addressing the subject of religious fundamentalism. While happy to announce that tomorrow evening's lecture will indeed give its lions in the service of that topic, this column cannot recommend the programme. Intellectual tedium belongs in academia, not on the air waves, although it has to be said that the lectures' puritanical epiphany was not himself noted for wit. My original point was that fundamentalism is the only aspect of religion that should concern other people: private conscience is a closed book, lunatic behaviour is an abiding menace. When such behaviour affects entire communities, it becomes politics by another name.

The BBC's chief political reporter, John Cole, uttered the disclaimer of the weekend with the very first sentence of *Down Your Way* (Radio 4, Sunday). The phrase was "Despite its troubled history..." and it was spoken in the ancient ecclesiastical centre of Armagh, locus classicus of all religious factionalism. The city of Liverpool may boast two cathedrals of opposing denominations; Armagh handsomely trumps it by calling both its cathedrals St Patrick's. Relations between the churchmen of the two faiths are said to be excellent, a fact which seems not to mitigate the bigotry of their parishioners. The Big-

Enders and the Little-Enders will always dispute the correct way of opening their curate's egg.

A little touch of Swift was plainly called for here, and Cole obliged by unearthing a first edition of *Gulliver's Travels* - the very copy, indeed, in which the author had scribbled marginal emendations to be incorporated in the second edition. "Ves, I see," the sage of Westminster observed, "he's changed purple, yellow and white to 'blue, red and green'." Well yes, and he did so for reasons of political satire; one wonders whether Cole realised this and was ensuring that politics itself was kept in the margin.

There was certainly an abiding air of unreality about the programme, as though a reporter sent to the scene of a cataclysmic disaster had devoted his air-time to a description of the local flora and fauna. What the "ordinary" people of Armagh are like we never discovered, only that some of them periodically take to the open air for the purpose of hurling a 28lb cannon ball along roads whose names read like a Baedeker of atrocity just as in some antediluvian form of golf, the constant taking the "flew" throws to reach the destination is judged the winner. Exercised by the prospect of innocent motorists being alarmed, Cole was assured that they are always given safe conduct. Perhaps this is a good augury for the future.

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NOEL GOODWIN:

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By ANDREW McEWEN, DIPLOMATIC EDITOR

agrees. Mr. Hurd's proposal does not mean that the British Army of the Rhine would cease to be fully British, or that Britain would lose control of its command.

While the matter has been discussed in outline by Nato ministers, the question of command has not yet been addressed. It is seen as an effort to retain all the important elements of the alliance and Britain's part in it, while giving it a European flavour to appeal more to Bonn, Paris and Rome.

Mr. Hurd said: "How to build a genuine European security identity will be one of the themes of the inter-governmental conference on political union," (which opens in Rome on Saturday).

He added: "Britain will have proposals to make and will listen attentively to the proposals of others."

A government source said this would also be Britain's approach on other issues, implicitly including an Anglo-German proposal

The source said the force could consist of about 75,000 men made up of units from each member country. Most would be based in their own countries except during exercises, but Britain's contribution would be the army of the Rhine.

As the speech was given in Germany, and German journalists were called to the British embassy in Bonn to discuss it, there was speculation that part of the aim was to make a continuing British presence in Germany acceptable to German public opinion.

It appears, however, that the aim was more to boost the acceptability of Germany's continuing membership of Nato by linking it to Western European defence. The force would, however, include American units, and the European element would not be entirely separate.

Letters, page 15

By TIM JONES AND KEVIN EASON

Government warnings that employers and unions must curb wage-led inflation if Britain is to avoid widespread job losses went unheeded yesterday with the news that unions and management at Peugeot Talbot had agreed a generous two-year deal for assembly workers at Ryton, Cheshire. The award, under which pay, including allowances, will rise from about £230 a week on average to £274 a week for assembly workers by January 1, 1992, was above inflation but emphasised it was a reward for large productivity improvements at the plant over the past few years.

Manual workers in the industry have been setting the pace for above inflation rises and the Peugeot Talbot agreement creates a big challenge for the government as thousands of other workers have made clear they expected rises which would maintain and improve their living standard.

The Peugeot Talbot deal will be worth 10.5 per cent in new money in the first year from January 1, even though firms due out on

Friday are expected to show inflation down to 9.7 per cent and set to fall further next year. Peugeot said that the rest of the deal contained substantial elements of profits bonus and incentives to help with the further improvement in efficiency.

Lyton workers will get an extra 1.5 per cent as part of a job restructuring exercise plus another 2.5 to 3 per cent in profits bonuses.

The second year will bring 7 per cent plus a 2.5 per cent profits award. The deal comes at a time, however, when Peugeot has been hit by the recession in new car sales in Britain and will be reducing output at Ryton from 2,400 a week to 2,300 a week.

Jaguar has awarded its 9,000 manual workers 12.5 per cent this year and Rover agreed to 11 per cent for its 40,000 workers.

Unions leaders representing 500,000 town hall workers and 150,000 workers in the electricity industry have said they expect rises above inflation, while workers involved in the offshore oil and gas catering industry have been offered 14.5 per cent.

"There's a feeling in the country, of... *surprise*," he protested. "Why weren't British Rail prepared?" How was it that "some homes were without water for a day?"... "Thousands of homeless..."

Birmingham's Andrew Hargreaves (C) then made the mistake of boasting that he had been stuck on the M6. That started the

MATTHEW PARRIS

Continued from page 1
were unable to reach the Browns Lane plant while maintenance teams discovered damage in some of the company's premises.
The company said last night that as a result of disruption to assembly schedules, 4,500 workers at Coventry and another 400 at Castle Bromwich, Birmingham, would be laid off until next week.
Mr Rifkind's announcement came as MPs returned to Westminster from their weekend attempts to visit their constituents, protesting bitterly about being stuck in their cars for hours. Their complaints drew from

Kenneth Baker, the home secretary, the disclosure that the authorities were considering closing urban motorways in severe weather to stop motorists becoming stranded.

The strongest criticism came from MPs representing seats in the North and the Midlands, and whose cars had been trapped in motorway snowdrifts. Ivan Lawrence, Tory MP for Burton, provoked laughter when he said he had been sustained during his 11-hour wait near the Corley services on the M6 only by the company of his wife and "good Burton beer kept for emergencies."

ACROSS

- 1 Old spinster with craft but lacking a teasing quality (8).
- 5 Part-time barman, insisting on a drink (6).
- 8 Formerly fee, or other settlement (10).
- 9 Smoke screen precluding outside broadcasts (4).
- 10 English resort with sort of bath that's a financial disaster (5,3,6,1).
- 11 "Can this _____ hold the vast fields of France?" (*Hem. I*) (7).
- 13 Squire's first to go after wild beasts using hounds (7).
- 15 Man who hasn't made the First XI (7).
- 18 Cheer up! Try initially to enjoy nature (7).
- 21 Hit wicket, just as you get a

22 Side-splitting little foreign coun-
try (4).
23 Declarer's ace, run into trouble
(10).
24 Bent under canvas (6).
25 Righteous state, unhappy about
international order (8).

A daily safari through the language jungle. Which of the possible definitions is correct?
By Philip Howard

SKILLION
a. A trained lion
b. A lean-to
c. A kitchen worker

KABELJOU
a. A Dutch chapel verger
b. A false emerald
c. A big fish

HART DUCHA
a. A Red Deer stag
b. A mountain hut
c. Self-control

For the latest AA traffic and roadworks information, 24-hours a day, dial 0836 401 followed by the appropriate code

with patchy light rain. Wales and central and north-west England will be mainly dry with sunny spells. Scotland and Northern Ireland will start dry and bright, but rain spreading from the north-west may fall as snow over high ground in Scotland. Eastern Scotland will be brighter and mainly dry. Outlook: brighter with dry spells, but rain in the North-West.

[illegible][illegible]

Yesterday: Temp: max 6 am to 6 pm, 7C (45F); min 6 pm to 6 am, 3C (37F). Humidity: 6 pm, 68 per cent. Rain: 24 hr to 6 pm, 0.14 in. Sun: 24 hr to 6 pm, nil. Bar, mean sea level, 6 pm, 1,006.6 millibars, rising.

Sunday: day temp: Leuchars, near St Andrews, and Ventnor, Isle of Wight, 7C (45F); lowest day max: Lyneham, Wiltshire, and Buxton, Derbyshire, 2C (36F); highest rainfall: Penzance, Cornwall, 1.31 in; highest sunshine: Ventnor, Isle of Wight, 7.2 hr

Yesterday: max 6 am to 6 pm, 7C (45F); min 6 pm to 6 am, 4C (39F). Rain: 24hr to 6 pm, trace. Sun: 24 hr to 6 pm, 1.3 hr.

GLASGOW

Yesterday: Temp: max 6 am to 8 pm, 5C (41F); min 6 pm to 6 am, -2C (28F). Rain: 24hr to 6 pm, trace. Sun: 24 hr to 6 pm, 3.3 hr.

London 3.52 pm to 7.57 am
Bristol 4.02 pm to 8.06 am
Edinburgh 3.39 pm to 8.34 am
Manchester 3.49 pm to 8.16 am
Penzance 4.20 pm to 8.12 am

Temperatures at midday yesterday: c, cloud; f, fair; r, rain; s, sun.					
	C	F			
Belfast	5	41	Guernsey	5	41
Birmingham	2	36s	Inverness	4	39s
Bristol	4	39s	Jersey	5	41s
Cardiff	3	37f	London	4	39f
Edinburgh	2	36c	Manchester	3	37f
Glasgow	4	39f	Newcastle	5	41f
	6	43s	Nottingham	4	39s

Tower Bridge will be lifted at the following times today: 0800hrs and 0830hrs

TODAY	AM	HT	PM	HT
London Bridge	8.36	6.0	9.25	5.5
Aberdeen	9.1	3.4	9.14	3.8
Avonmouth	1.47	10.5	2.15	10.8
Belfast	6.45	2.9	6.43	3.2
Cardiff	1.32	9.9	2.0	10.1
Comport	1.45	4.5	12.40	4.5
Dover	6.7	5.7	6.53	5.5
Falmouth			12.10	4.5
Glasgow	8.4	4.3	7.46	4.6
Harwich	6.28	3.2	7.19	3.4
Hastings	5.53	4.5	6.12	4.2
Hull	12.50	6.4	2.1	8.0
Stracombe		7.2	1.20	7.4
King's Lynn	1.8	5.4	2.8	5.1
Leith	10.3	4.7	10.33	4.8

Tide in metres

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[illegible]

BUSINESS AND FINANCE 23-30
FOCUS ON GLOBAL CUSTODY 31-33
LAW 34,35
SPORT 40-44

BUSINESS

TUESDAY DECEMBER 11 1990

Executive Editor
David Brewerton

Goodman rescue package accepted

FROM DAN WHITE IN DUBLIN

GOODMAN International, the debt-laden Irish meat group, had a rescue plan accepted by its bankers after a meeting with the examiner appointed by courts to oversee the group's affairs.

The examiner will seek the approval of the High Court in Dublin today for the plan. Representatives from 33 banks that are owed more than £500 million (£454 million) by Goodman met at the Investment Bank of Ireland to discuss the company's fate.

Larry Goodman will emerge with 40 per cent of the restructured company immediately. It will be known as Clare International. If profit targets are met, his shareholding could climb to 90 per cent by 1997.

Mr Goodman will remain as chief executive, but he will be assisted by a new finance director, a new chairman and two further non-executive directors. These must be acceptable to the banks but will be chosen by Mr Goodman.

Interest payments on more than half of the £510 million of debt will be frozen until 1997.

Mr Goodman's demand that he be given immunity from legal action from the banks was also a sticking point.

The plan splits the £510 million Goodman debt into four parts. The £168 million owed to Goodman International by the Iraqis will bear no interest. Neither will a further £103 million of "rump" debt. There will be an £100 million term interest loan bearing interest at the Dublin interbank rate plus 2 per cent and an £134 million "asset" loan bearing interest at 2 per cent over DIBOR.

Peter Fitzpatrick, the examiner, reckons that the workout plan could be worth up to 73p in the pound to the banks, assuming that the Iraq debt will be repaid. If the Iraq debt is written off the maximum value of the workout falls to 53p in the pound.

Oil prices edge up

CRUDE oil prices edged higher, carried along by higher refined product prices, after news of the temporary closure of Saudi Arabia's Ras Tanura refinery after a fire.

In London, January Brent crude futures were up 32 cents per barrel at \$27.50. In New York, light crude oil futures for January stood 32 cents per barrel higher at \$26.90.

Another bullish factor in the oil market is the cold weather.

Fairfax crashes

John Fairfax, Australia's oldest newspaper empire, has been put into provisional liquidation. The main creditors are the Australia and New Zealand Banking Group and Citibank.

Empire ends, page 13

THE POUND

US dollar 1.9455 (-0.0055)
German mark 2.8608 (-0.0197)
Exchange index 93.3 (-0.2)

STOCK MARKET

FT 30 Share 1721.5 (-2.3)
FT-SE 100 2182.5 (-0.9)
New York Dow Jones 2593.07 (+2.97)
Tokyo Nikkei Ave 23784.67 (+262.18)
Closing Prices ... Page 29

INTEREST RATES

London Bank Base: 14%
3-month Interbank: 13 1/2-13 3/4%
3-month eligible bills: 12 1/2-12 3/4%
US: Prime Rate 10%
Federal Funds 7 1/4%
3-month Treasury Bills 6.88-6.85%
30-year bonds 106 1/2-106 1/4%

CURRENCIES

London: New York: £ \$
C \$1.9455 S DM1.4725
C DM2.8609 S SfrF1.2620
C SfrF2.4474 S FF9.1727
C FF9.1727 S Yen131.907
C Yen131.907 S ECU1.71360
C ECU1.71360 S SDR1.352394
C SDR1.352394 S

GOLD

London Fixing: AM \$372.25 pm \$374.05
Close \$373.90-374.40 (1991.75)
New York: Comex \$373.85-374.35

NORTH SEA OIL

Brent (Jan) ... \$27.60 bbl (\$27.10)
Denotes latest trading price

Levitt 'urged to contact Fimbra'

By JON ASHWORTH AND ANGELA MACKAY

Auditor refused to sign off 1989 accounts because 'information was unsatisfactory'

STOY Hayward, auditor to the collapsed Levitt Group, refused to sign off the company's 1989 accounts in June because the financial information provided was "unsatisfactory".

Moreover, in October, after Levitt, one of the largest financial services groups in Britain, failed to fill the gaps, Stoy Hayward advised the company to contact Fimbra, the watchdog, to try to clarify Levitt's position. The auditor has been co-operating with Fimbra for the past eight weeks.

Roger Levitt, the group's chairman, was pushed to resign as a director of the main company by Fimbra two weeks ago but has remained chairman of the holding company.

Roger Roberts, a spokesman for Stoy Hayward, said Levitt had been a client since 1977. "We have had a long relationship with the company but we have not signed the 1989 accounts because we were not happy with the information put before us."

"There were several holes which Levitt just did not fill in and we

exerted pressure on the company in October to contact Fimbra."

The fate of Levitt hung in the balance last night as officials met to decide whether to place the firm in receivership. Members of KPMG Peat Marwick McLintock were meeting to decide the best course of action. Fimbra confirmed that it has been investigating the affairs of Levitt since making a compliance visit on October 8. It said in a

statement that its statutory and contractual powers had been used with a view to protecting client funds, initiating board and management changes, as well as a change in controlling ownership, and injecting additional capital.

"The company has been unable to meet all Fimbra's requirements and applied for an administrator to be appointed."

The four institutions who had

taken 4.9 per cent stakes in the Levitt Group, Legal & General, Chase Manhattan, General Accident and Commercial Union, refused to comment further on events.

The institutions paid Mr Levitt £24.6 million in return for their stakes. Fears were voiced that they stand to lose "several million pounds" in indemnity commission, paid upfront in return for life assurance and pension business. But two of the groups said privately that they had written little new business with the company since taking their stakes.

Attention is likely to be focused on the activities of LIT Holdings, the financial services group, which paid £12.3 million for a 24.5 per

cent stake in the Levitt Group Holdings in March 1988. LIT was obliged to take up an additional stake in the group if certain profit targets were met.

LIT paid £4.25 million for a further 8.8 per cent stake in February 1989, taking its total investment in the company to 33.3 per cent. The shareholding was repurchased by Mr Levitt for £15.5 million in January 1990. Michael Middlemas, who negotiated the original deal with Mr Levitt, resigned as chief executive of LIT in August 1989.

Mr Middlemas refused to return telephone calls last night. LIT made a £3 million provision in the 1989 accounts to cover its losses on the Levitt investment.

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SmithKline shuffles boardroom

By JONATHAN PRYNN

SMITHKLINE Beecham, the Anglo-American pharmaceuticals group, is to give non-executive directors a majority voice in its boardroom through a major restructuring of its senior management.

The board of 20 will be cut to 16, comprising seven executive and nine non-executive directors. Until now, the board has been equally split between executive and non-executive members.

The restructuring also brings Alain Gomez, chairman and chief executive of Thompson, the French electronics group, onto the SmithKline Beecham main board.

Henry Wendi, the group's chairman, said: "Following the merger last year, our focus has been on the successful creation of a new company. As we move to the next phase our focus is on directing the development of SmithKline Beecham as a growing force in global health care."

"Change of this order begins in the boardroom. We believe the board should reflect the transitional nature of our company. We also believe a board smaller than the present 20 members is now appropriate. Finally we believe successful corporate governance now and in future requires a board comprised of a majority of non-executive directors experienced in corporate matters, a broad perspective, and representative of a variety of points of view."

Three executive board members are resigning from the main board as a result of the restructuring but will remain as members of the group's executive committee.

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Shop sales signal lean Christmas

By COLIN NARBROUGH, ECONOMICS CORRESPONDENT

RETAIL sales figures fell another half per cent last month after a 1.1 per cent drop in October, prompting fears that retailers are heading for a lean Christmas to end a bad year.

While the provisional volume retail sales numbers provided fresh evidence of recession, producer price data suggested that underlying inflation may have peaked.

The pound softened after the data, but the foreign exchange market focused on the dollar, which fell to a low of DM1.4675 at one stage.

Sterling followed the dollar down for much of the session on the back of sluggish oil prices, the prospect of interest rate cuts, and speculation about an early general election.

But the pound ended in London only slightly lower at \$1.9455, while against the mark, helped by talks of rate adjustment by the Bundesbank, sterling shed almost two and half pence to DM2.8609.

On its Bank of England trade-weighted index, the pound ended 0.3 of a point down on Friday's close at 93.3. In the money markets, where expectations of early base rate cuts have been high,

despite repeated signals to the contrary from the Bank, three-month rates were unchanged at 13 1/2-13 3/4 per cent.

Although the weakening domestic economy is widely seen in the City as justifying a further base rate cut, possibly as early as Friday after the November inflation figures are published, the pound has fallen to its lowest level against the mark since Britain joined the exchange-rate mechanism of the European Monetary System.

Fresh fears of a possible rise in German interest rates also depressed sterling, reducing market hopes of a quick cut in British interest rates because the ERM constrains the government's room for monetary manoeuvre.

The Central Statistical Office said the retail sales index for November was 120.7, its lowest since July last year. The continued fall in sales contradicted the latest consumer credit figures, which showed a perplexing surge in borrowing on a broad front.

City forecasters had pointed to a slight recovery in retail sales last month, the traditional start of the Christmas shopping season. But with bad weather hampering shopping last weekend, some analysts

fear crucial December sales will be badly hit.

Keith Skeoch, chief economist at James Capel, said a below-average December after the sharp falls in recent months would be a "disaster" for the retail trade.

Factory gate prices, widely considered a reliable guide to core inflation, gained 0.2 per cent in November for an annual rise of 5.8 per cent in November, down from 5.9 per cent in October.

Manufacturers' fuel and raw material costs showed an encouraging drop of 0.2 per cent in November, for a 2.4 per cent fall in the last 12 months, after a 0.7 per cent fall in the year to October.

Gerard Lyons, chief economist at DKB International, said: "The domestic case for a rate cut remains strong. Retail sales are weaker, producer prices are better than expected, with input prices still reflecting disinflationary conditions."

Jim O'Neill, currency analyst at Swiss Bank Corp, said that with the economy imploding, a base rate cut would be risky, "but there is now a need for risky moves."

Monetary union, page 14
Comment, page 25

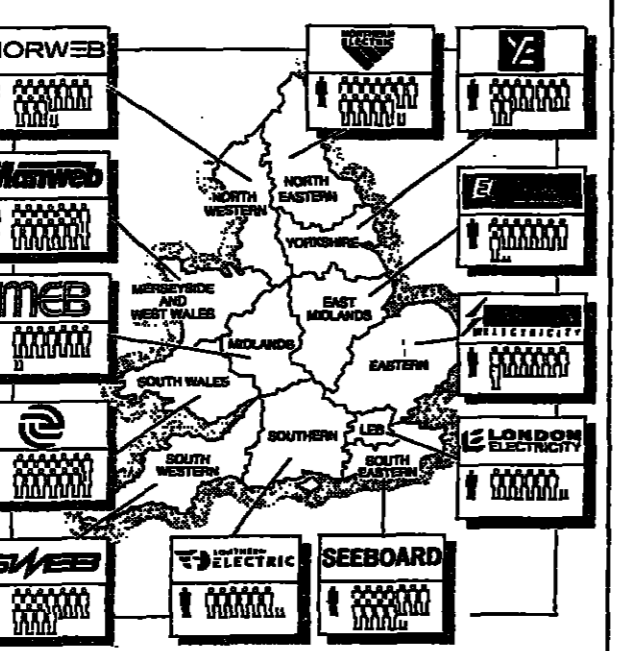


FLYING HIGH: David Crossland (left), chairman of Airtours, the UK's fourth largest package tour operator, and Hugh Collinson, managing director, look forward to another good year after reporting a 21 per cent increase in pre-tax profits to £6.3 million for the 12 months to the end of September.

The company, which has announced plans to launch its own airline next spring, was "now ideally placed to take advantage of the better trading conditions arising from an improved balance of supply and demand for holidays," Mr Crossland said.

Tempus, page 25

Power cut for investors



THE government has announced the levels of allocation in the flotation of the 12 electricity distribution companies, with, as had been expected, wide regional variations and a heavy scaling-back of the 12.75 million applications by 5.7 million people. As the map shows, levels of oversubscription from the public range from a little more than six times, in the case of London and Southern, up to approaching 14 for Manweb and South Wales.

Slimmer Berisford still loses £326m

By MATTHEW BOND

BERISFORD International, which announced the £880 million sale of British Sugar to Associated British Foods, made losses of £326 million in the year to September.

John Slater, the chairman, who succeeded Epirum Margules in March, described the results as "very poor". He added they had been affected by big provisions on British property, high interest costs, poor trading results and lack of confidence in the company's financial soundness. No interim dividend (1.8p) or final (4.4p) is being paid.

Berisford's shares fell 6.5p to 22p, despite a pro forma balance sheet showing net assets per share of 73p after the disposal of British Sugar.

Analysis is concerned about Berisford minus British Sugar. Slater, Berisford's food business division, is dominated by British Sugar and was the only division to make a profit in 1990, contributing £111 million to pre-tax profits.

After the British Sugar sale, Berisford's year-end net debt of £922 million has fallen to £247 million, taking gearing below 70 per cent. At their peak, borrowings were £1.2 billion.

Peter Jacobs, Berisford's chief executive, was delighted with the British Sugar sale. "British Sugar is going to a good home," he said. Mr

Slater said the sale marked the end of one chapter in Berisford's recovery, and the start of another. "Now as we move into the next phase, the profit and loss account is more significant. Central to the next few weeks will be the defining of a focus for Berisford's ongoing business."

Mr Slater thanked the advisers and 68 banks for their support. The banks agreed a £1.2 billion refinancing in September. The results reiterate the damage to Berisford by its ill-fated decision in the Eighties, to diversify into property. The problems began in New York, but its British schemes are now hit.

Despite a £12.5 million provision only three months before the year-end, a further £72.7 million has been written off the value of the British property portfolio, taking total provisions to £85.2 million. This forms the main part of a £121.2 million exceptional item, which caused the company to report a £96.1 million loss at the pre-tax level.

The ruinous slide in New York property values has continued. Despite the £234 million provision at interim time, the company has made further \$86.8 million provisions taking write-offs to over \$400 million.

Comment, page 25

Opel expands eastward

Opel, General Motors' German car manufacturing subsidiary, says it is to sign a contract on Thursday to spend DM1 billion on a new car factory in Eisenach, eastern Germany. General Motors has also been in talks with Bratislava's Automobile Zavody about producing gearboxes.

DM8bn Skoda joke, page 25

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Asprey

PRESENTS FROM DECEMBER 7TH TO 24TH

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Platinum 950

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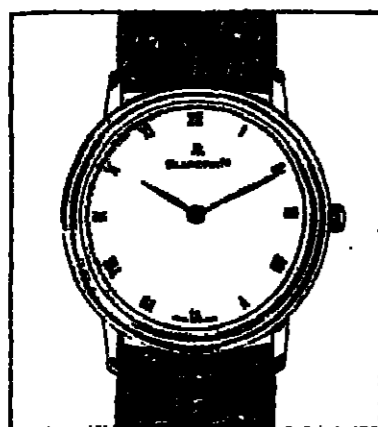
- the ultra-slim watch
- the moon-phase watch
- the perpetual calendar
- the split-second chronograph
- the tourbillon
- the minute repeater

The company's master watchmakers have invested more than six years of their time to create this little masterpiece, expertly fashioning and assembling the nearly seven hundred individual parts of its impressively intricate 18 Kt gold movement. Only platinum, the king of metals, was deemed worthy of encasing this exceptional achievement. A formal notarized pledge sets a definitive limit of thirty to the number of platinum-case "1735" wrist watches that Blancpain will ever produce.

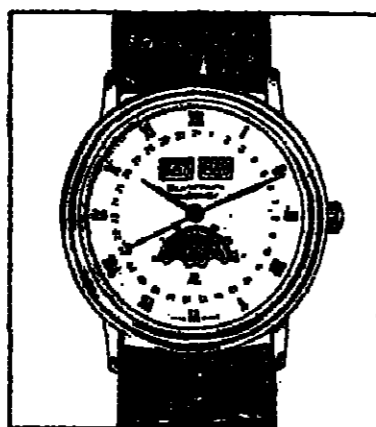
BLANCPAIN

THE SIX MASTERPIECES OF THE WATCHMAKER'S ART

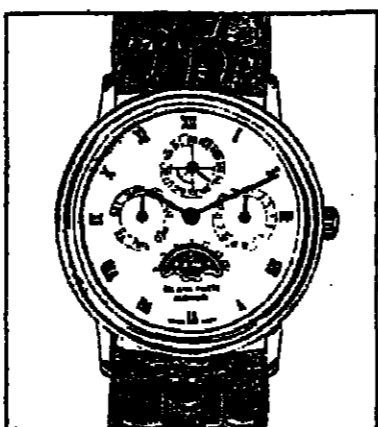
In a further, exceptional development, Blancpain today makes and sells as a set the six classic masterpieces of the watchmaker's art



1. ULTRA-SLIM WATCH



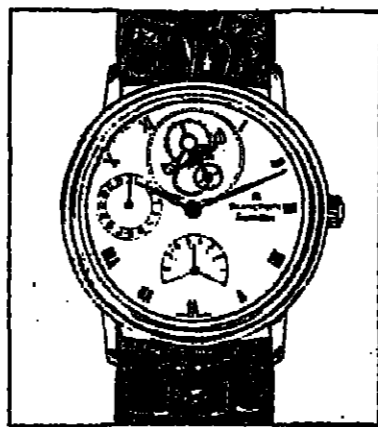
2. MOON-PHASE WATCH



3. PERPETUAL CALENDAR



4. SPLIT-SECOND CHRONOGRAPH



5. TOURBILLON



6. MINUTE REPEATER

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ASPREY, 165-169 New Bond Street, London, W1Y 0AR. Tel. 071-493 6767

THE 12 REGIONAL ELECTRICITY COMPANIES SHARE OFFERS ALLOCATION ANNOUNCEMENT

Offers for Sale

by
Kleinwort Benson Limited

on behalf of
The Secretary of State for Energy

Each of the Offers for Sale has been over-subscribed and the maximum number of shares has been recalled from the Overseas Offers and from institutional investors. Valid applications will be met as set out in the following tables. See note 1 below.

DEALINGS

Dealings are expected to commence in London at 2.30 p.m. on Tuesday, 11th December 1990. The combination of the unprecedented number of applications and the bad weather means that the posting of some interim certificates may be delayed. Every effort will be made to post documents before Christmas. Applicants who wish to sell before they have received an interim certificate will only be able to do so if they make arrangements to deal on this basis. Applicants who deal before receipt of an interim certificate will do so at the risk of selling shares for which they have not received an allocation.

Eastern Electricity plc		
Shares applied for	Shares allocated to	
	customers receiving preference	other applicants
100	100	100
200	100	100
300	100	100
400	100	100
500	100	100
600	100	Nil
700	100	Nil
800	100	Nil
900	150	Nil
1,000	150	Nil
1,500	150	Nil
2,000	200	Nil
2,500	300	Nil
3,000 and above	Nil	Nil

Manweb plc		
Shares applied for	Shares allocated to	
	customers receiving preference	other applicants
100	100	100
200	100	Nil
300	100	Nil
400	100	Nil
500	100	Nil
600	150	Nil
700	150	Nil
800	150	Nil
900	200	Nil
1,000	200	Nil
1,500	250	Nil
2,000	250	Nil
2,500	300	Nil
3,000	300	Nil
4,000	400	Nil
5,000	500	Nil
10,000 and above	Nil	Nil

NORWEB plc		
Shares applied for	Shares allocated to	
	customers receiving preference	other applicants
100	100	100
200	100	100
300	100	Nil
400	100	Nil
500	100	Nil
600	100	Nil
700	150	Nil
800	150	Nil
900	150	Nil
1,000	150	Nil
1,500	200	Nil
2,000	200	Nil
2,500	250	Nil
3,000 and above	Nil	Nil

South Wales Electricity plc		
Shares applied for	Shares allocated to	
	customers receiving preference	other applicants
100	100	100
200	100	Nil
300	100	Nil
400	150	Nil
500	150	Nil
600	200	Nil
700	200	Nil
800	200	Nil
900	250	Nil
1,000	300	Nil
1,500	300	Nil
2,000	400	Nil
2,500	400	Nil
3,000	500	Nil
4,000	500	Nil
5,000	500	Nil
10,000 and above	Nil	Nil

East Midlands Electricity plc		
Shares applied for	Shares allocated to	
	customers receiving preference	other applicants
100	100	100
200	100	100
300	100	100
400	100	100
500	100	100
600	100	100
700	150	100
800	150	Nil
900	150	Nil
1,000	150	Nil
1,500	200	Nil
2,000	200	Nil
2,500	250	Nil
3,000 and above	Nil	Nil

Midlands Electricity plc		
Shares applied for	Shares allocated to	
	customers receiving preference	other applicants
100	100	100
200	100	100
300	100	100
400	100	100
500	100	Nil
600	100	Nil
700	150	Nil
800	200	Nil
900	200	Nil
1,000	200	Nil
1,500	200	Nil
2,000	250	Nil
2,500	250	Nil
3,000	300	Nil
4,000	400	Nil
5,000	500	Nil
10,000 and above	Nil	Nil

SEEBOARD plc		
Shares applied for	Shares allocated to	
	customers receiving preference	other applicants
100	100	90
200	100	Nil
300	100	Nil
400	100	Nil
500	100	Nil
600	100	Nil
700	100	Nil
800	100	Nil
900	100	Nil
1,000	100	Nil
1,500 and above	Nil	Nil

South Western Electricity plc		
Shares applied for	Shares allocated to	
	customers receiving preference	other applicants
100	100	100
200	100	Nil
300	100	Nil
400	100	Nil
500	100	Nil
600	100	Nil
700	150	Nil
800	150	Nil
900	150	Nil
1,000	150	Nil
1,500	200	Nil
2,000	250	Nil
2,500	300	Nil
3,000	400	Nil
4,000	400	Nil
5,000	500	Nil
10,000 and above	Nil	Nil

London Electricity plc		
Shares applied for	Shares allocated to	
	customers receiving preference	other applicants
100	100	100
200	100	100
300	100	100
400	100	100
500	100	100
600	100	100
700	100	100
800	100	100
900	150	100
1,000	150	100
1,500	150	Nil
2,000	200	Nil
2,500	250	Nil
3,000	300	Nil
4,000 and above	Nil	Nil

Northern Electric plc		
Shares applied for	Shares allocated to	
	customers receiving preference	other applicants
100	100	100
200	100	Nil
300	100	Nil
400	150	Nil
500	200	Nil
600	250	Nil
700	250	Nil
800	250	Nil
900	300	Nil
1,000	300	Nil
1,500	300	Nil
2,000	300	Nil
2,500	400	Nil
3,000	400	Nil
4,000	400	Nil
5,000	500	Nil
10,000 and above	Nil	Nil

Southern Electric plc		
Shares applied for	Shares allocated to	
	customers receiving preference	other applicants
100	100	100
200	100	100
300	100	100
400	100	100
500	100	100
600	150	100
700	150	100
800	150	100
900	150	100
1,000	150	100
1,500	200	150
2,000	200	Nil
2,500	250	Nil
3,000	300	Nil
4,000	400	Nil
5,000	500	Nil
10,000 and above	Nil	Nil

Yorkshire Electricity Group plc		
Shares applied for	Shares allocated to	
	customers receiving preference	other applicants
100	100	100
200	100	100
300	100	100
400	100	Nil
500	100	Nil
600	150	Nil
700	150	Nil
800	150	Nil
900	150	Nil
1,000	200	Nil
1,500	250	Nil
2,000	250	Nil
2,500	300	Nil
3,000	300	Nil
4,000	400	Nil
5,000	500	Nil
10,000 and above	Nil	Nil

Note 1: Allocations have been made in full in respect of valid applications by eligible employees and pensioners of the Regional Electricity Companies, The National Grid Company plc and Electricity Association Services Limited under the Free and Matching Offers and up to the applicable priority limits under the Discount and Priority and Pensioner Priority Offers, subject to a maximum allocation of 5,400 shares in respect of South Western Electricity plc. Customers receiving preference are eligible customers for whose benefit a valid application was made for electricity vouchers or the customer share bonus together with, in either case, customer preference. The Secretary of State has authorised voucher endorsements of £27 and £45 in respect of eligible customers who chose vouchers and who have been allocated 150 and 250 shares respectively. References to applications are to applications which have not been rejected. All allocations are subject to the terms and conditions set out in the Prospectus dated 21st November, 1990 and in the Mini Prospectus.

Issued by H.M. Government and approved by Kleinwort Benson Limited, a member of TSA and financial adviser to H.M. Government for the electricity privatisation in England and Wales. The value of shares can go down as well as up. If you need advice, consult an appropriate professional adviser.

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Portfolio PLATINUM

From your Portfolio Platinum card check your eight share price movements on this page only. Add them up to give you your overall total and check this against the daily dividend and check this against the prize money stated. If you win, follow the claim procedure on the back of your card. Always have your card available when claiming. Game rules appear on the back of your card.

No.	Company	Group	Gain or Loss
1	Brown Corp	Property	
2	Yusuf Ali	Breweries	
3	Academy	Motors/Aircraft	
4	Run (AG)	Foodstuffs	
5	RAI (at)	Foodstuffs	
6	Fifty	Foodstuffs	
7	Liquid Ltd	Chemicals/Plastics	
8	Mud Hagg	Building/Roads	
9	Watt	Chemicals/Plastics	
10	Hidson	Chemicals/Plastics	
11	Stim Water	Water	
12	Prosser	Electricals	
13	Saner	Industrials A-D	
14	Spring Ram	Industrials E-K	
15	Red, Ship	Drugs/Pharmaceuticals	
16	Capel	Industrials A-D	
17	Countdown	Building/Roads	
18	BET (at)	Industrials A-D	
19	Munro	Building/Roads	
20	Leas	Electricals	
21	Bank of Ireland	Banking/Finance	
22	Equinox Trust	Property	
23	North West	Property	
24	Lookers	Motors/Aircraft	
25	Unilever	Foodstuffs	
26	Sec & New (at)	Breweries	
27	Independant	Newspapers/Publishers	
28	RHM (at)	Foodstuffs	
29	Perimeter	Building/Roads	
30	Hickling Petroleum	Foodstuffs	
31	Champion Ltd	Industrials A-D	
32	MacEz	Industrials E-K	
33	Land Sea (at)	Property	
34	Beckley Op	Building/Roads	
35	Compass Op	Leisure	
36	Wich Water	Water	
37	British Gas (at)	Oil/Gas	
38	Ultimate (at)	Oil/Gas	
39	Onco & Med	Industrials L-R	
40	P & O D&G (at)	Transport	
41	Dumiro	Electricals	
42	Wich Water	Water	
43	AAF Inv	Industrials A-D	
44	Com (T)	Motors/Aircraft	
© Times Newspapers Ltd. Daily Total			

Please take into account any minus signs

Weekly Dividend						
MON	TUE	WED	THU	FRI	SAT	SUN

Three readers shared the £4,000 Portfolio Platinum prize yesterday. Mr Keith Shuffield, of Breckley, Kent, Mr John Tupper, of Edinburgh, and Mr Brian Whelan, of Bracknell, Berks, each receive £1,333.33.

BRITISH FUNDS						
High	Low	Start	Price	Change	%	P/E

SHORTS (Under Five Years)						
High	Low	Start	Price	Change	%	P/E

FIVE TO FIFTEEN YEARS						
High	Low	Start	Price	Change	%	P/E

OVER FIFTEEN YEARS						
High	Low	Start	Price	Change	%	P/E

UNDATED						
High	Low	Start	Price	Change	%	P/E

INDEX-LINKED						
High	Low	Start	Price	Change	%	P/E

BANKS, DISCOUNT, HP						
High	Low	Start	Price	Change	%	P/E

STOCK EXCHANGE PRICES

Cold start to account

ACCOUNT DAYS: Dealings began yesterday. Dealings end December 28. Contango day December 31. Settlement day January 7.

Forward bargains are permitted on two previous business days.

Prices recorded are at market close. Changes are calculated on the previous day's close, but adjustments are made when a stock is ex-dividend. Where one price is quoted, it is a middle price. Changes, yields and price earnings ratios are based on middle prices. (at) denotes Alpha Stocks.

(VOLUMES PAGE 24)

High	Low	Company	Price	Start	Change	%	P/E

BREWERIES							
High	Low	Company	Price	Start	Change	%	P/E

BUILDING, ROADS							
High	Low	Company	Price	Start	Change	%	P/E

FINANCE, LAND							
High	Low	Company	Price	Start	Change	%	P/E

FINANCIAL TRUSTS							
High	Low	Company	Price	Start	Change	%	P/E

FOODS							
High	Low	Company	Price	Start	Change	%	P/E

CHEMICALS, PLASTICS							
High	Low	Company	Price	Start	Change	%	P/E

DRAPERY, STORES							
High	Low	Company	Price	Start	Change	%	P/E

HOTELS, CATERERS							
High	Low	Company	Price	Start	Change	%	P/E

INDUSTRIALS A-O							
High	Low	Company	Price	Start	Change	%	P/E

High	Low	Company	Price	Start	Change	%	P/E

E-K							
High	Low	Company	Price	Start	Change	%	P/E

L-R							
High	Low	Company	Price	Start	Change	%	P/E

S-Z							
High	Low	Company	Price	Start	Change	%	P/E

OILS, GAS							
High	Low	Company	Price	Start	Change	%	P/E

NEWSPAPERS, PUBLISHERS							
High	Low	Company	Price	Start	Change	%	P/E

MOTORS, AIRCRAFT							
High	Low	Company	Price	Start	Change	%	P/E

TEXTILES							
High	Low	Company	Price	Start	Change	%	P/E

SHOES, LEATHER							
High	Low	Company	Price	Start	Change	%	P/E

TOBACCO							
High	Low	Company	Price	Start	Change	%	P/E

High	Low	Company	Price	Start	Change	%	P/E

INSURANCE							
High	Low	Company	Price	Start	Change	%	P/E

PAPER, PRINT, ADVERTISING							
High	Low	Company	Price	Start	Change	%	P/E

PROPERTY							
High	Low	Company	Price	Start	Change	%	P/E

OVERSEAS TRADERS							
High	Low	Company	Price	Start	Change	%	P/E

PLATINUM							
High	Low	Company	Price	Start	Change	%	P/E

DAILY DIVIDEND							
High	Low	Company	Price	Start	Change	%	P/E

CLAIMS REQUIRED							
High	Low	Company	Price	Start	Change	%	P/E

CLAIMANTS SHOULD RING							
High	Low	Company	Price	Start	Change	%	P/E

WATER							
High	Low	Company	Price	Start	Change	%	P/E

High	Low	Company	Price	Start	Change	%	P/E

OVERSEAS TRADERS							
High	Low	Company	Price	Start	Change	%	P/E

PLATINUM							
High	Low	Company	Price	Start	Change	%	P/E

DAILY DIVIDEND							
High	Low	Company	Price	Start	Change	%	P/E

CLAIMS REQUIRED							
High	Low	Company	Price	Start	Change	%	P/E

CLAIMANTS SHOULD RING							
High	Low	Company	Price	Start	Change	%	P/E

WATER							
High	Low	Company	Price	Start	Change	%	P/E

OVERSEAS TRADERS							
High	Low	Company	Price	Start	Change	%	P/E

PLATINUM							
High	Low	Company	Price	Start	Change	%	P/E

DAILY DIVIDEND							
High	Low	Company	Price	Start	Change	%	P/E

Portfolio PLATINUM

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DAILY DIVIDEND
£2,000

Claims required for +37 points

Claimants should ring 0254-53272

High	Low	Company	Price	Start	Change	%	P/E

OVERSEAS TRADERS							
High	Low	Company	Price	Start	Change	%	P/E

PLATINUM							
High	Low	Company	Price	Start	Change	%	P/E

DAILY DIVIDEND							
High	Low	Company	Price	Start	Change	%	P/E

CLAIMS REQUIRED							
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Making the most of world assets

Custodians are investing multi-millions to corner a share of the market for handling clients' global funds, Neil Bennett writes

After decades in the obscurity of the back office, global custody has come of age. The process of safekeeping clients' overseas shareholdings, processing dividends and reclaiming tax payments was once viewed by banks as a tiresome necessity to attract more exciting and more profitable business.

Today, global custody has become an important profit centre in its own right. Banks around the world are investing tens of millions of pounds to try to corner a share of that market. Global custody is the mastery of the mundane. It is practically, and often legally, impossible for investing institutions to hold shares directly in foreign markets. The intricacies of Italian taxation, Portuguese stock settlement or Thai exchange controls make it necessary for an institution to farm out the administration of its portfolio to a third party: a custodian bank.

The custodian's role is straightforward but littered with pitfalls. When the institution buys shares in a company, it must ensure the stock is paid for in local currency and delivered. After that, it must collect regular dividends, reclaim any tax payments and convert them to the investor's original currency. A single mistake can not only cost thousands but lose clients. Settlements and foreign exchange can be delayed for months, while rates grow less favourable. Dividend payments and tax reclamations can go astray. The failure to notice a stock split or a rights issue could lead to the disenfranchisement of an institution's shares.

Banks operate their global network through a chain of so-called sub-agents in each domestic market. These are banks themselves, and are normally chosen either because they are a branch of the main custodian or a leading participant in the local market. Today, most large custodians have agents or branches in more than 30 countries. The process was

originally known as international stock settlement and administration, and while international fund movement remained a fraction of domestic investment, it was typically a loss-making offshoot of mainstream custodian activities.

The introduction of the Employee Retirement Income Security Act legislation in the United States in 1974 provided a catalyst for growth. This demanded the mandatory appointment of a third-party custodian to safeguard pension-fund holdings.

Chase Manhattan understood the implications of this, coupled with the growing demand for overseas investment. It rebranded its settlement and administration business as global custody, and started to market the operation aggressively.

Today, Chase may have been forced to cut its dividend and start a world-wide redundancy programme after suffering property losses in America, but it is still the undisputed leader in global custody with an estimated \$112 billion under management. It has kept its lead with a \$95 million technology investment and relentless innovation.

The desperate search for profits in the overcrowded global banking industry has, however, forced many of Chase's rivals to notice the potential of global custody. In America, both Citicorp and State Street now have managed assets of more than \$60 billion, while Barclays and Midland in Britain have succeeded in winning business after a slow start.

Industry watchers find it difficult to chart the extent of the custody industry because any figures released by banks contain some double-counting. All banks use a network of sub-agents to manage their clients' portfolios in overseas markets, so the same holding can be included in two companies' totals.

A recent survey by Equity International estimated that custodians now administer assets worth up to \$800 billion. The



Fast moving: custodians must watch the world markets, such as Singapore's international exchange

potential is just as great. The proportion of overseas holdings in American institutional pensions is still minimal compared to European funds, and custodians confidently predict that cross-border investment will continue to multiply in the next ten years.

For some banks, the growth has become necessary to justify their high investment in people and equipment. The number of entrants into global custody is remarkable considering the barriers. One custodian estimated that a bank would need to invest \$25 million to build a custody network from scratch, and could not begin to offer a service until it was represented in 18 countries.

Alan Trager, president of Morgan Stanley's global custody services, estimates that a bank now needs to manage funds of between \$10 and \$15 billion to be profitable.

Each new entrant has put another turn on the competitive screw. In the past three years, global custody has been transformed into a buyers' market, and fund managers now complain about the barrage of marketing with which they must cope. "I get these guys wearing my carpet out," says Roy Bell, the securities administration manager of Postel, the Post Office pension fund. The industry has now even spawned its

own glossy magazine, *Global Custodian*. The competition has reduced and simplified prices and improved services. "Fees have declined by 50 per cent since 1988," says Mr Trager, "from between 15 and 20 basis points to between 8 and 12 points today. Clients have also been offered more functions for their portfolio."

Pricing has become simpler. Originally custodians would charge a complex fee, based on the size of the fund, the countries it was held in and the frequency of transactions. They would also pass on sub-agent fees, which would all fall on separate dates and leave the institution with a trail of paperwork. Under pressure, this has evolved in most cases to a single quarterly charge. Barclays is offering each client a flat global tariff, tailored to the client's own fund.

Service improvements have included a rapid advance in technology. The days when custodians communicated by fax and telex are ending. The modern fund manager demands a direct link into his or her company's mainframe or personal computer. This can inform him of dividends or corporate actions, such as stock splitting or rights issues, immediately. It also gives him round-the-

clock access to his portfolio and valuations. Settlement reliability has also vastly improved in most countries. In 1986, the settlement crisis in Italy had grown so bad that the authorities cancelled the official settlement day three times. As many as a quarter of bargains were going astray. Today, most custodians have total reconciliation in their Italian holdings.

Most custodians also now offer contractual settlement guarantees. These guarantee the customer that a share bargain will be settled on a given day. If the trade fails, the custodian has to sort it out and suffer the loss. Previously, the institution was forced to pay the penalties of the custodian's mistakes. Some custodians are now extending the same guarantees to dividend payments.

Despite the predictions of continued growth, custodians agree that the competition will remain fierce. All are looking for the edge. The banks also agree there will be losers.

Faced with falling profits or losses, most western banks are looking for cuts. Some continental banks have already closed their London-based custody operations, and the next two years may see significantly larger casualties as banks realise that the returns do not, and never will, justify the costs.

Information the key to profits

The number of banks offering the service in the past three years has almost doubled

If a bank ever thought global custody was a licence to print money, the events of the past four years have shattered its illusions. The banks have been confronted with a near-collapse in stockmarket systems, a stampede of new competitors and a subsequent slump in fees (Neil Bennett writes). All this has taken place against a background of continued heavy investment in technology and skilled staff.

Considering the barriers to entering the global custody market, it is surprising that the number of banks offering the service in the past three years has almost doubled to more than 50. Most people in the industry now expect to see failures. John Morris, the head of Citicorp's investor services, says: "Custody customers are looking for a real commitment. Investors recognise there has to be some shakeout."

Doug Reeve, the bank's manager of European custody services, agrees. "It is," he says, "going to require some careful management to ensure you have a successful business." A quick calculation of a large custodian shows how little room for manoeuvre even the largest has. Citicorp, with \$70 billion (£36 billion) in cross-border funds under management, is the third-biggest global custodian in the world, bettered only by Chase Manhattan and Bank of Tokyo.

Profit figures for most global custodians are concealed within the results for the entire bank. But on the broad assumption that it charges clients an average of 0.1 per cent of fees, it generates revenue of \$70 million a year. Out of this, it has to pay 1,700 employees, a bill of perhaps \$50 million. Half of the remaining revenue might go to support fixed costs. The final \$10 million and more would be quickly consumed in technology investment Chase Manhattan boasts that it has invested \$95 million in its systems. Admittedly, Citicorp's staff are also engaged in domestic custody, and so the bank will still be seeing healthy returns from custody. The same cannot be said for small custodians, which have assets of \$10 billion or less.

The size of an impending shakeout is still unclear. Some continental banks have pulled out of London, and future prospects are dependent on the continued expansion in cross-border investment. If the growth continues in double digits this decade, there will be ample room in the market for all the contestants. If it slows, there will be casualties.

Developments within the global custody industry also suggest that the largest players will be the long-term winners. The first factor is the continuing advances in world settlement systems. Eight recommendations by the Group of 30, a club of central and commercial banks set up to improve these systems, were prompted by the recognition that the bull market of 1986-7 had caused a near-collapse in many market systems. The proposals included the introduction of paperless settlement, the shift to a rolling three-day accounting period and pre-matching of all trade information to highlight discrepancies.

The proposals have had wide-reaching effects. Many markets now operate paperless settlement, and others have plans under way for their introduction, among them the London Stock Exchange with its proposed Taurus system. The world's stockmarkets' progress will be examined in the G30's progress report due later this month. The advent of paperless systems and rapid settlement is, however, forcing custodians to invest even further in systems. The days when a bank could admit to a client that one of his or her Italian bargains had failed, but it would muddle through somehow, are vanishing. Now that failure rates have fallen below 1 per cent in most markets, investors have come to expect near-perfect service, and they want more. Partly they want better technology, with round the clock access to their portfolios by a main computer link-up. But information is the key to success.

Mr Morris sees custodians acting as pathfinders in new markets. "We are in 40 markets today," he says, "but that could rise to 60 or 70 in a couple of years."



Doug Reeve: warning

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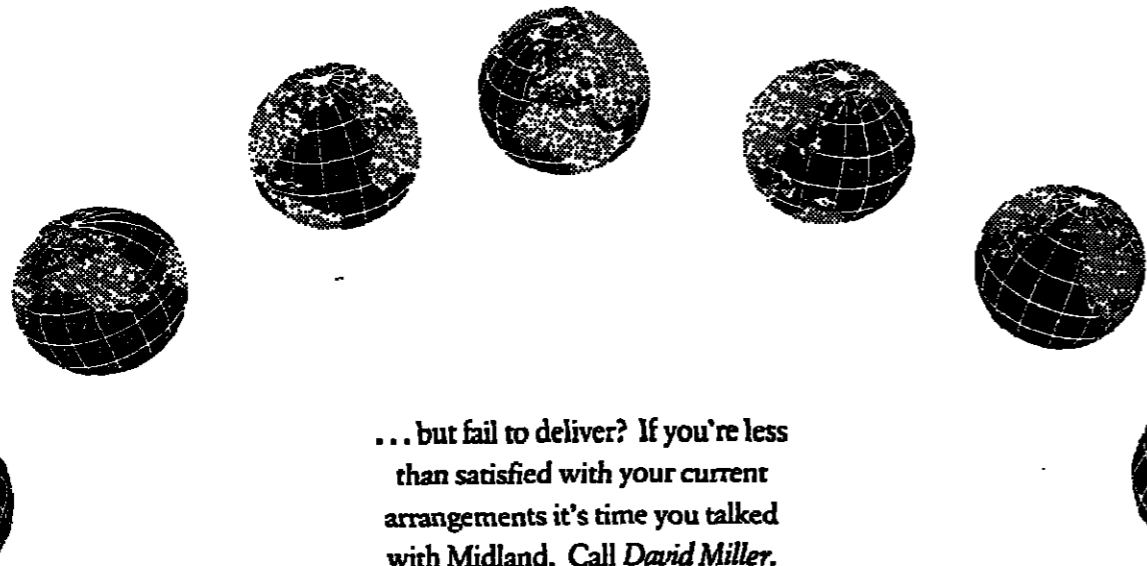


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A boost for Britain's invisible earnings

In the right hands, stock lending is profitable for global custodians and their clients. The clients gain from extra interest returns on otherwise idle assets, and the custodians benefit from a share of the profits as payment for indemnifying clients against market and broker risk.

The market is composed, on the demand side, of securities houses, which act as market-makers and borrow stock when they need to cover short trading positions. Borrowers deposit non-cash collateral (usually certificates of deposit) to cover the period of the loan, for which they pay the lender a fee. The supply side is represented by custodian banks acting as intermediaries on behalf of their lending clients, typically institutional investors such as pension funds or insurance companies.

Recent years have seen an upsurge in demand for stock borrowing, fuelled by strong growth in the market for derivative products such as warrants, index futures and convertible bonds. Simon Lühr, the vice-president of Morgan Stanley, the international securities house, says: "We have always wanted to borrow securities, but had problems doing so because of lack of supply of loanable securities. What has changed is that global custodians have released pent-up liquidity by mobilising the invest-

Stock lending is big business. In a leading centre such as London, transactions average £12 billion a day. David Rudnick reports

ment resources of a pool of smaller clients who by themselves would be unable to act as lenders." Stock lending is big business, even in today's low-turnover market. In London, a leading world centre, an average £12 billion a day is estimated to be lent, about £5 billion of it on international transactions, which boost Britain's invisible earnings.

Stock lending is regulated by the Bank of England which, in the words of John Gubert, the head of markets development at Midland Bank, "has a vested interest in it, in as much as it advances the central bank's objective of improving market liquidity."

The bank chairs the stock borrowing and lending committee (SBLC), a body of borrowers, lenders and money brokers set up by the International Stock Exchange to examine ways to reform the somewhat restrictive regulations governing international stock lending.

The SBLC is under pressure to resolve legal doubts about the security of stock lending, which suddenly surfaced last month, causing a momentary stock market panic on November 19. The crisis, says Mr Lühr, "came out of

the woodwork" with the discovery a few weeks before of a loophole which created uncertainty over whether stock lenders have a secure legal claim on the collateral put up by borrowers, should they default or go insolvent.

The issue is a technical one, but it alarmed some investment institutions into beating a hasty, if temporary, retreat from the stock lending market, while jittery market makers frantically bought up stock as a protective hedge. The SBLC hastily restored order, urging financial institutions to go on lending until the issue is clarified.

Of longer-term importance is the vexed question raised by legislation passed last year, defining all securities held by United Kingdom institutions as UK securities for tax purposes, thus restricting their lending to authorised British money brokers.

This anomaly, Mr Lühr says, is a key factor inhibiting the expansion of stock lending. It has effectively kept out of the market the huge portfolio of foreign securities held by UK institutions, excluding them from the overseas stock lending market, with its more lucrative fees and much higher turnover. Mr Gubert believes that a

solution is near, extending UK lenders' right to lend, which should be operative by the end of the year.

"Practitioners are nevertheless disappointed at the time it is taking," he says. "But everyone agrees that the beneficiaries of their legislation are competitors based outside the UK."

Though less attended by controversy, foreign exchange management is another expanding service for custodians.

Jeffrey Ruzicka, who heads European institutional investment services for the Boston-based State Street Bank, says clients show increasing willingness to separate investment decisions from foreign exchange considerations.

"An individual may wish to buy Siemens stock, but think the Deutschmark has run its course on the upside. We are developing a product that enables a client to invest in foreign stocks without incurring currency risk."

Mr Ruzicka sees increasing profitability in foreign exchange and cash management, but it will be an increasingly scale-related activity, open only to big players.

There is, meanwhile, growing client demand for custodians to develop sophisticated hedging instruments using currency options.

Short-selling and positioning vis à vis interest rate movements, and arbitrage programmes using derivatives are coming to the fore.



Simon Lühr, the vice-president of Morgan Stanley: Global custodians have released pent-up liquidity

Safe trading without tricks

Special products and high technology may impress some clients, but good settlement procedures are still vital

Global custodians like to sell their services on "glamour" products such as stock lending and perhaps foreign-exchange management. But the core of the business, says Colin Grimsey of Chase Manhattan Bank, which is the leading custodian, remains settlement and asset safe-keeping.

The recent enormous expansion of international investment and assets has strained the capacity of many growth markets to provide efficient settlement procedures (David Rudnick writes). Trading volume has often advanced beyond their ability to cope with the growing number of transactions. Settling their clients' trades is the custodians' most basic, bread and butter job.

Clients are more interested in good service in this essential area than in the fancy technological tricks and expensive sophisticated products that some custodians have developed in a competitive effort to differentiate their products from those of their rivals.

Custodian banks like a challenge. David Miller, the head of client relations of Midland Bank Securities, says: "Safe-keeping is straightforward. Reporting is what separates the men from the boys. Most custodians confine their reporting to two currencies: the base, resident currency and the native, locally invested currency. But multi-currency reporting is more complex, involving levels of refinement of computer design which only the most modern system can offer." So small-scale custodians should beware.

The collection and delivery of clients' dividends has become a standard custodial service. John Morris, of Citibank, says standards of promptness have improved, but "clients are becoming more demanding, wanting their dividends posted to their account as near as possible to the income payment. The cash-flow impact on a large investor client can amount to half a million pounds a day."

A number of custodian banks offer a facility introduced by Chase, called contractual income policy. CIP automatically credits a client within a set period, usually a couple of days, after dividend payment falls due. So even if a sub-custodian delays transfer of income to the custodian, the client is credited promptly.

When several of a custodian's clients hold shares in the same company, the common practice when dividends are due is to credit the cash to an omnibus account run by the custodian bank, then distribute it to the multitude of

Mr Morris says, "offers economies of scale where, for example, 50 UK clients are all investing in a single country and the size of each individual portfolio may be small as a percentage of the total allocation."

After a dividend has been paid, the custodian may need to initiate a tax reclaim for the client. Looking after a client's tax requirements can be a demanding task.

Questions to be resolved may include: who exactly is the beneficial asset owner — the company or underlying shareholders? Is it domestic or offshore money? Might the client have tax-exempt status? Are dual-tax treaties involved? "As more people invest internationally, this is becoming an exponential issue," Mr Miller says. "And the world is dynamic. Tax regimes change."

How often a tax reclaim has to be made for a client will depend partly on his or her preference and partly on his exposure to a particular market. If a client has a hefty portion of his assets at stake, he will normally want a more frequent reclamation service than if he has invested only a few lines of stock. Mr Morris says: "It is a function of the size of a client's portfolio. For a major institution, it may be as frequent as two weeks, while for small portfolios quarterly intervals may suffice."

The dividend rate is another factor. In Japan, Mr Morris says, dividend rates tend to be low, and so tax-reclamation activity is low. In contrast, the United States has higher dividend rates, the United Kingdom the highest still.

Tax-withholding treaties may further complicate matters. The emergence of offshore financial centres around Europe is creating opportunities for custodians to offer consultancy services.

It is not easy to find qualified staff able to handle the tax complications. Mr Miller adds: "People with knowledge of cross-border tax issues are a rare and valuable commodity."

Another key custodial service is to notify clients of corporate actions affecting their investment interests. When a company plans a rights issue, board changes, or to involve itself in a takeover bid, clients must be notified immediately of the details and the time in which they need to respond.

Clients often have voting or proxy voting rights in these cases, but the custodian's main concern is to ensure, so far as he can, that his client does not miss a profitable deal.

Failure to notify a client normally makes the custodian liable to indemnify him for



'Safe-keeping is straightforward. Reporting is what separates the men from the boys'

DAVID MILLER
Midland Bank Securities

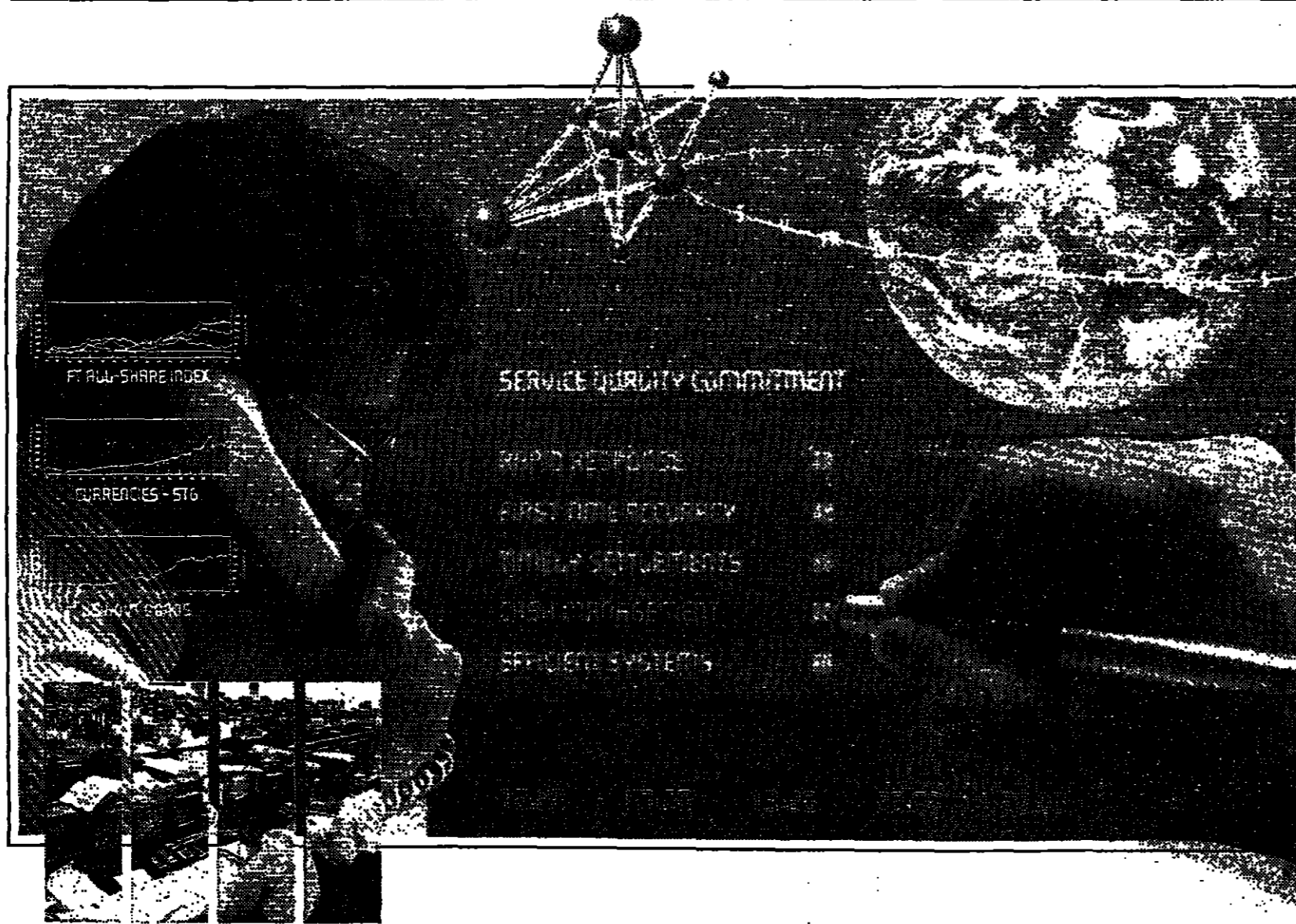
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Looking for service with more than a smile

THE beneficiaries of the competition between global custodians have been the investing institutions. They command a far higher level of service than they did three years ago (Neil Bennett writes). Yet some managers remain distinctly unimpressed with the service they receive.

The City is now the focus of the struggle between global custodians. The ERISA legislation in the United States has made the appointment of a third-party custodian mandatory. The pension funds often hand their business to the bank which has managed their domestic custody for decades.

British fund managers, by contrast, are free to administer their own portfolios, and appoint sub-custodian banks in each market. It is only if the work becomes too costly, unmanageable or unreliable that they decide to appoint a full custodian for their entire international portfolio.

Invesco MIM, the former MIM Britannia, decided to appoint a custodian for the international portion of its £12 billion British

fund, and has seen the full spectrum of what is on offer. "We are looking for four basic things," says Ratan Engineer, the finance director. "One is clearly technology. First, we want a single mainframe link between us and the custodian at any time, day or night. Second, we want contractual settlement to guarantee the value of our transactions. The successful bank must also have a large network. The last key is

price. Most of the banks are trying to give us as near to a fixed price contract as possible." The winner will be chosen this month.

Invesco decided to appoint a global custodian when it became clear it would be cheaper than administering the portfolio itself. But not every institution is convinced of the benefits. Mercury Asset Management, which manages an international portfolio of more than £6 billion, has decided

to manage its own custodian network. "It is far more cost-effective," Gordon Lindsay, a director, says. Mercury did look at appointing an overall custodian. But it could not find one to manage more than 100 customer accounts individually.

Morgan Grenfell is one of the most experienced custodian users. It deals with more than 40, both direct and as agents for its institutional clients. On the whole,

it is far from satisfied. "There is a lot of glossy public relations from banks," says Alastair Reid, a director of Morgan Grenfell Asset Management. "But there is little substance to it." He believes fund managers should be free to appoint their own custodians rather than deal with banks appointed by the investor. These, he says, often give incomplete valuations to the clients which can leave the blame for underperformance with the

manager rather than admit the custodian's own mistakes.

Managers are becoming edgy about the credit-worthiness of some of the American global custodians. The customers' eye view of the custodians is surprisingly similar. All believe the American banks still have the edge, but that the British have closed the gap considerably.

Managers also believe that fees will continue to fall, and there will be casualties. "There are so many people throwing so much capacity at the market, it is going to be another estate agency, or Third World debt," Mr Reid says.

Transatlantic bid for business



David Watson: quality

From the earliest days when Chase Manhattan coined the term global custody, the industry has been the United States banks' backyard. It was US marketing that first brought global custody into the limelight, while the vast American pension funds provided captive business.

In the past few years, however, they have begun to be challenged by overseas competition. The Bank of Tokyo is believed to be the second largest global custodian in the world, although it is relying on the business from the Japanese institutions.

The British meanwhile have been rebranding their stock administration departments and investing to bring them

British custodians are to fight the US on its own doorstep, Neil Bennett says

into the Nineties. Barclays and Midland, for example, both believe they have the systems to compete with the best of the Americans.

David Watson, the senior manager of Lloyds Bank global custody, feels the transatlantic struggle keenly. "The Americans have geared up on advanced technology. But we rely on quality of service and experienced staff. This is a relationship business."

Until now, banks have tended to win global custody business in their own country, with the Americans poaching come due to their strength. This has prevented many con-

tinental European banks, such as the Swiss, from expanding, since their domestic investment base was too small to provide the mass needed for profitable global custody.

The American banks, too, will soon be challenged on their own turf. Midland is negotiating links with regional banks in America to sell its global custody in that country.

Custodian banks are also faced with the need to maintain and expand their global network. The sub-agents in each local market determine the success of any custodian work. Investors continue to demand entry into promising

markets. Many large custodians have recently been appointing sub-agents in Turkey and Thailand and they are ready for the day when their customers demand a place in eastern Europe.

Midland Bank has one of the largest networks, stretching across 48 countries. This includes truly speculative centres such as Brazil and Argentina, and areas such as Bangladesh. The bank is blessed with a close relationship with the Hongkong & Shanghai Bank, and uses it as a sub-agent in six countries, while Midland itself is well established on the Continent.

The hot debate among custodians is whether to use a bank's own branches abroad as sub-agents, or whether to choose the dominant local institutions. Among the British, Barclays is proud that it uses its own branches in 16 countries. "Very few US banks have this sort of international network," says Alex Tweedie, the head of Barclays custody business. "People are sensitive about our triple-A credit rating as a bank."

Global custodians and the upsurge of cross-border investment that they tend are largely responsible for the development of settlement systems in most of the world's main stockmarkets. The bull market of 1986-87 exposed problems in Italy and Spain, where failed settlement rates grew as high as one in five. Since then paperless settlement in Paris, New York and Copenhagen has driven down failure rates and costs. Similar systems are being developed in Hong Kong, Australia and Tokyo. In the City, custodians and institutional investors are awaiting the launch of Taurus, the Stock Exchange's paperless settlement operation.

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Fair play, even in fraud

It fell to me to review the investigations system under the Companies Act when I became the trade secretary in 1979. I was concerned, in particular, to bolster confidence in the system on behalf of the public and the business community after comments made by the Court of Appeal in *re Pergamon Press Ltd and Maxwell v Department of Trade and Industry and Others*.

The 1985 guidance notes issued to inspectors still contain my statement to Parliament on May 19, 1980, and they stress the need for inspectors, and the department, to treat witnesses fairly.

In paragraph 24 of the guidance notes, which refers to passing to a statement by Lord Upjohn about the "wrongful assumption of power, it states: "...the inspectors cannot properly try to insist on a witness giving them an answer which would incriminate him..." At that time whether a witness's refusal to answer questions was "proper" would have been a matter for the court.

Public opinion, as expressed through Parliament, by primary legislation and in reports such as the trade and industry select committee's recent report on company investigations, indicates a further mood today towards company fraud.

The select committee, chaired by Lord Roskill, proposed a generally stricter regime, although, for instance, it considered a lapse of more than 18 months between committal and trial would be



Sir John Nott (right)
questions whether
the law as envisaged
by Parliament is
being observed in
fraud investigations



unacceptable. Public revulsion against fraud was reflected in a revision of companies legislation to deny a "right of silence" to witnesses in investigations. Indeed, in several respects the law has shifted during the Eighties significantly against the rights of the individual defendant in cases of fraud.

To a non-lawyer who as secretary of state was deeply worried about opportunities for abuses of natural justice in the system of investigations, there are today grounds for concern. This concern has also been expressed by distinguished lawyers such as Lord Alexander, by the Law Society and by commercial law firms such as Slaughter & May in their evidence to the select committee referred to above. It should be a matter of deep

concern to the trade and industry department, and more particularly to Parliament, if persons familiar with the procedures are worried about the dangers of the abuse of natural justice in the new legislative environment. I suggest that this worry is also widely held in the business community.

It is difficult to understand why Parliament should allow evidence obtained from fraud case witnesses to be passed to the Serious Fraud Office without any protection for the individual against self-incrimination, while in other criminal law areas, such as murder, rape and terrorism, protection against the defendant's self-incrimination is institutionalised through the codes of practice under the Police and Criminal Evidence Act 1984.

I suggest that this is a wholly

anomalous situation, not intended by Parliament. It is a not unusual muddle. Although the problems of the prosecution in fraud cases may be particularly severe, it should not justify any derogation from the rights of the accused.

As the Law Society's standing committee on company law said in a report in April 1977, "expediency is never acceptable if carried to the point of injustice".

The evidence to the select committee of John Wood, then director of the Serious Fraud Office, makes it clear that transcripts of evidence have been passed by the trade and industry department "over a period of months" to the Serious Fraud Office and then to the police while an investigation is still proceeding and without any caution of the witness.

I consider that the action described by Mr Wood is a far cry from what a layman would reasonably understand by the term "fairness", and it transgresses the spirit of the recommendations on the use of transcripts set out in paragraph 21 of the 1985 guidance notes.

While an investigation is in progress, witnesses are unaware of what other witnesses are saying, have no opportunity for questioning those witnesses or answering allegations, have not seen the documents on which they are to be questioned, have not at that stage had an opportunity to comment on the inspectors' likely findings and criticisms, and have no



A case in point: the Guinness defendants are driven in custody from Southwark Crown Court

remedy against unfair or untrue statements, which may be made later in inspectors' reports.

In stark contrast to the system in other criminal law areas, no caution has been administered and witnesses generally want to co-operate with inspectors with a view to obtaining a dependable report on the facts.

The law will take its course and the opinion of a disinterested

individual may not carry any weight. However, in the Pergamon case, Lord Justice Sachs stated: "It seems to me as well as to Lord Denning very clear that in the conduct of the proceedings there must be displayed that measure of natural justice which Lord Reid in *Ridge v Baldwin* described as insusceptible of exact definition but what a reasonable man would regard as fair procedure in particu-

lar circumstances. I find it difficult to conclude that Parliament intended an entirely different standard of protection against self-incrimination for the individual under the Police and Criminal Evidence Act codes of practice to that prevailing in fraud cases under the Companies Act."

The author was the trade and industry secretary from 1979 to 1981.

Queen's Bench Divisional Court

Deportation hearing properly in juvenile court

In re L.
Before Lord Justice Watkins and Mr Justice Kitch [Judgment December 3]
A hearing to determine whether a minor should be deported under the Backing of Warrants (Republic of Ireland) Act 1965 could be heard by a juvenile court and the hearing could be in a locked court-room provided that all those with an interest had been given access to the court.

The Queen's Bench Divisional Court so held in dismissing an application for judicial review by a juvenile, L, of a decision of Balham Justices to endorse warrants for the applicant's deportation to Ireland and remand him to the care of his local council pending deportation.

Mr Charles Salter for the applicant; Mr Kevin de Haan for the DPP.

LORD JUSTICE WATKINS. said that he accepted the argu-

ment that the court's jurisdiction to hear an application under the 1965 Act was approximate to that of a court hearing domestic committal proceedings which a juvenile court had power, under section 24 of the Children and Young Persons Act 1933, to conduct.

A "charge", as that word was used in section 43 of the 1933 Act, merely meant an allegation that a criminal offence had been committed. Each warrant in the instant case alleged that a criminal offence had been committed in the Republic of Ireland.

Thus, the vital question was: Did the proceedings at the juvenile court conform with paragraph 2 of Schedule 2 to the 1965 Act which provided that the proceedings should be heard in open court?

His Lordship was prepared to accept that the terms of paragraph 2 of the Schedule were mandatory in a case involving the liberty of the subject and his

possible removal from the jurisdiction. But that did not mean that "open justice" could be regarded in isolation regardless of the inherent power of a magistrates court.

The expression also had to be read in the further context of section 46 of the 1933 Act which assigned the hearing of a criminal charge against a juvenile to a juvenile court. Parliament in enacting the 1965 Act could not have been unmindful of section 46 which put children and young persons in a different category from adults as to venue in the hearing of criminal charges.

It was unthinkable that paragraph 2 was intended by Parliament to override other statutory provisions such as section 47 of the 1933 Act which governed in a mandatory way what access by the public there should be to a particular kind of court.

His Lordship entirely accepted the force of the argument

that although it was a basic tenet of English criminal procedure that justice should be seen to be done in public that principle was not immutable.

Thus it had been held that a magistrates court had an inherent power to restrict public access to its proceedings if the administration of justice so required, such as in the interests of security, public order and public safety: see *R v Denbigh Justices, Ex parte Williams* ([1974] 1 QB 759).

In the context of children and young persons, Parliament had accepted that in some instances some inroads into the principle of open justice had to be made in the interests of protecting those who appeared before juvenile courts charged with criminal offences.

While the 1965 Act made no special provisions for the backing of warrants issued in respect of children or young persons, such persons should not be deprived of the protection afforded by

restrictions on public access to or information published about the proceedings against them.

The conclusion his Lordship reached was that in respect of children and young persons the only court competent to deal with applications under the 1965 Act was a juvenile court the procedures of which were strictly governed by sections 45 to 47 inclusive of the 1933 Act.

There was no reason whatsoever to conclude that any irregularity had crept into the proceedings. There seemed to be no doubt that the door to the court had not been secured until all persons with an interest in the applicant's case who wanted to be there had been given the opportunity to be present.

The method chosen to enforce security by the police had not been shown to have in-commoded anybody who had the statutory right to be present.

Solicitors: Bindman & Partners, DPP.

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Blameless surety should not forfeit recognizance

Regina v Reading Crown Court, Ex parte Bello
Before Lord Justice Parker, Lord Justice Mann and Lord Justice Stuart-Smith [Reasons December 6]

A person who stood surety for a defendant's bail should not forfeit his recognizance if he was not to blame for the defendant's failure to surrender when required to do so. The court should enquire into the question of fault before deciding what should be done.

Ignorance of the date when the defendant was required to appear could be a reason for non-forfeiture. Therefore, the court should always notify a surety of the date when the defendant was required to appear.

The Court of Appeal so stated on October 26 an appeal by Bello, from the refusal by the Queen's Bench Divisional Court (Lord Justice Mann and Mr Justice Rose) on November 24, 1989 of his application for judicial review.

The decision for which judicial review was sought concerned an order made by Judge Lait sitting at Reading Crown Court on June 29, 1987 that the applicant should forfeit £5,000 which amounted to half of the recognizance put up by him as surety for Onyiah Odoe who, on October 3, 1985, had been arrested and charged with the illegal importation of 17.7kg of cannabis.

The recognizance was granted bail when the applicant and one other person stood as sureties. On December 5, 1985 the accused appeared at Uxbridge Magistrates' Court and was committed for trial at Reading Crown Court. A declaration of October 17, 1985 signed by the applicant having expired, another declaration was obtained from him on December 5.

On December 23, 1985 Camberwell police advised the Customs and Excise that the accused had absconded. The applicant, who had been unable to ascertain the whereabouts of the accused for several

days between Christmas and January 6, 1986 informed the police and the chief clerk of Uxbridge Magistrates' Court that he wished to withdraw as surety because he did not believe that the accused would turn up at the court and that he might try to leave the country if he had not already done so.

Shortly after January 8, 1986 the accused was arrested in Holland by the Dutch police for possession of 10 kg of cannabis.

He did not appear at Reading Crown Court on February 3, 1986, the date which had been fixed for his surrender into the custody of the crown court. Subsequently he was extradited to the United Kingdom where he was convicted on April 6, 1987 and sentenced to two years imprisonment.

Mr Bello in person; Mr Guy Sankey for Reading Crown Court.

LORD JUSTICE PARKER said that before the Divisional Court the applicant contended, *inter alia*, that the order of Judge Lait should be set aside because (i) he was not notified that the accused was required to attend on February 3, 1986 (ii) the accused was already then in police custody in The Netherlands and (iii) because he was blameless.

Lord Justice Mann, giving judgment in that court, had said that although the court was prepared to accept that the applicant was blameless, there was no requirement of proof that any blame attached to the surety or the accused and that if the surety failed to get the accused to court the right to forfeit was triggered: see *R v Warwick Crown Court, Ex parte Smalley* (1987) 1 W.L.R. 237, 249H per Mr Justice Macpherson.

Their Lordships allowed the applicant's appeal first and foremost because it was not shown that the accused ever required to attend Reading Crown Court whether for trial, sentence or anything else, either on February 3, 1986 or on any other date, the power to forfeit never arose whether under the declaration of October 17 or that of December 5, which alone

was operative as from that date. That would have been sufficient to dispose of the appeal but it was desirable also to deal with other important matters. Having reviewed the authorities, the true position, in his Lordship's judgment, could be stated thus:

The failure of the accused to surrender when required triggered the power to forfeit but the court, before deciding what should be done, had to enquire into the question of fault. If it was satisfied that the surety was blameless throughout it would then be proper to remit the whole of the amount of the recognizance and in exceptional circumstances that would be the only proper course.

The Divisional Court was correct in accepting that the applicant was blameless. He had done everything he could do after entering into his recognizance and it was not suggested that he was in any way at fault in entering into the recognizance.

There was force in the contention that ignorance of the date when a defendant was required to appear at court was by itself a ground for non-forfeiture.

The surety undertook to ensure the appearance of the defendant at court when required. It was an undertaking to observe might result in the forfeiture of large sums of money. It therefore appeared that justice should require that the surety was notified by the court of the date upon which the defendant was required to appear.

However, it was impossible to say that ignorance of the date was always an answer to proceedings for forfeiture. Each case would depend on the facts. The court should always notify sureties when a date was fixed and, if no date was fixed, notify them between what dates the case was likely to be listed. Such warning should be given as far in advance as possible.

Lord Justice Parker and Lord Justice Stuart-Smith agreed.

Solicitors: Treasury Solicitor.

Limiting time for acceptance of payment into the court

X v Y
An application by a plaintiff for an extension of time in which to accept a payment into court by the defendant should not be granted once there had been a substantial alteration in the risks of the case.

The Court of Appeal (Lord Justice Neill, Lord Justice Russell and Lord Justice Parkhurst) so held on November 15 allowing an interlocutory appeal by a defendant in a libel action from an order by Mr Justice Michael Davies who had given the plaintiff further time to accept a payment into court as a condition for allowing the defendant to serve out of time notices under the Civil Evidence Act 1968.

Where a defence of alibi was raised it was always better, even if the summing up was relatively short and a clear direction was given at the commencement as to the burden of proof, for the judge to give a further direction reminding the jury specifically that the burden was on the prosecution to disprove the alibi.

However, unless there was a danger that the jury might think the defence because the defence had put forward the alibi, there was no rule of law that the judge should give any such further direction: see *R v Hogg* (1976) 52 Cr App R 74.

The Court of Appeal (Lord Justice Neill, Lord Justice Schiemann and Mr Justice Jowitt) so stated on November 20 when dismissing an appeal by William Ronald Anderson

against his conviction on October 20, 1988 at Northampton Crown Court (Mr Recorder Ray and a jury) of wounding with intent, on which he was sentenced to five years imprisonment.

Lord Justice Lloyd, giving the judgment of the court, said that it had been argued that the practice of giving a specific further direction was so universal that it had hardened into a rule of law.

In their Lordships' view, although it would have been better if that had been done by the recorder, the absence of such specific further direction did not amount to a misdirection.

risks were again substantially altered by the defendant obtaining leave to serve out of time Civil Evidence Act notices.

Once there was a substantial alteration in the risks, the time for acceptance of the payment into court should not be extended (see *Gaskin v British Aluminium Co Ltd* (1976) 1 QB 524, 530) per Lord Denning, Master of the Rolls.

Should the position be any different because the extension was granted not on an application made for that purpose but as a condition of the extension granted to the defendant? There was no difference in principle. The judge's reasons for making the order were understandable but wrong.

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Job satisfaction wins the vote

What will lawyers want in the next ten years? Edward Fennell finds a startling answer with which to start the millennium

As we enter the season of punditry, the moment is right to ask how lawyers see themselves in ten years' time. Will they be largely ennobled in Europe, or part of global multi-disciplinary practices? Alternatively, perhaps they will assume that legal life will just go on in the same way for ever, with constant but ineffective demands for reform.

Some answers may be found in a survey of lawyers' expectations of the year 2000, released to *The Times* this week by recruitment consultants Badenoch & Clark.

Perhaps the most striking finding is that eight out of ten lawyers surveyed say that by 2000 they expect to be regarding job satisfaction as their top priority. This is a startling figure because it towers over all the other factors, including money (8 per cent), status (2 per cent), and the opportunity to travel (1 per cent), which are normally considered to appeal to new graduates when they join the profession.

Like most statistical surveys, this is open to interpretation. The findings could mean that, ten years hence, most young lawyers expect to have already obtained as much money and status as they need and that by then their concerns will have shifted elsewhere.

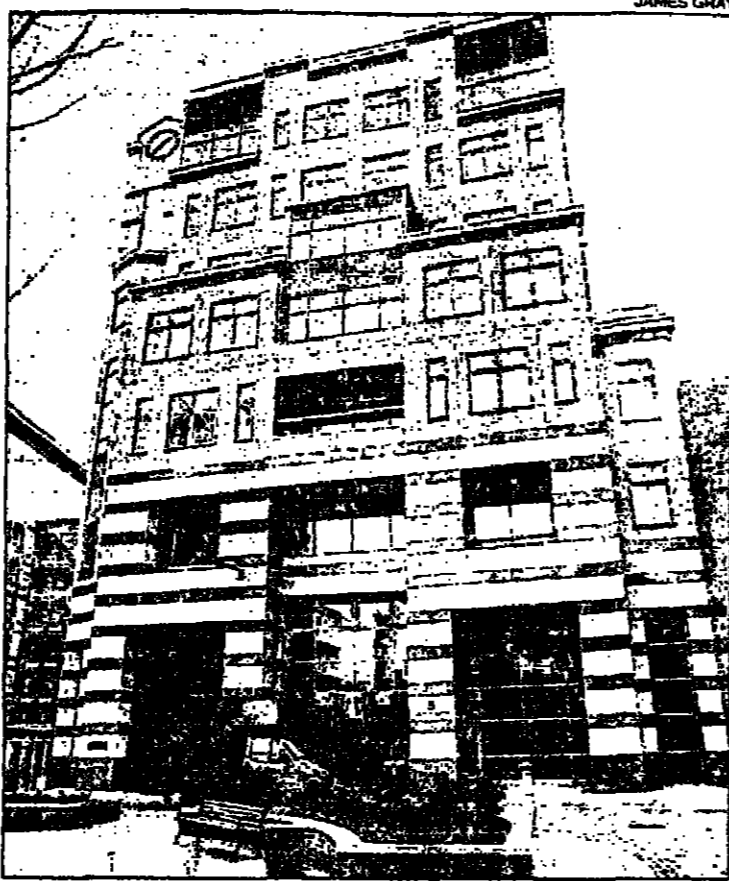
Alternatively, they may reveal that what lawyers supposed to be the "good life" has turned sour and that what matters to them is

satisfaction at work. Whatever the truth, most lawyers, unlike accountants, who are also surveyed, apparently see the future as being much like the past. For example, almost three times as many accountants as lawyers believe they will be working in a mixed professional practice by the end of the century, and although 30 per cent of accountants expect to spend a great deal of time travelling overseas, few lawyers do.

Rachel Caine, who was responsible for the survey at Badenoch & Clark, says: "With only 1 per cent citing an opportunity to travel as a critical factor in their new job and with 58 per cent of lawyers not expecting to work abroad for any length of time, it raises the question whether the legal profession will still be lagging behind other sectors in reacting to change."

Of course, caution is traditionally regarded as one of the lawyer's most important qualities, and in view of the intense difficulties experienced by some accountancy practices recently, the lawyers may feel justified in resisting revolution.

One of the few significant changes envisaged by most lawyers is in their role as business advisers. Two-thirds of the survey were convinced that in ten years their contribution to business will be more important than now. Certainly many firms project themselves as law-led strategic business advisers. On the face of it, the ethos



Two in one: law and accountancy firms such as Peat Marwick McLintock (above) could merge into vast mixed practices

of the lawyer is still far from that of the innovative entrepreneur. Business people may still accept that the lawyers' job is to apply the brakes to their wilder excesses, but they remain to be convinced that lawyers can also map-read the future for big

business. A large majority of lawyers, however, wish to continue in the cosy atmosphere of private practice. The American-style ambition to get to the top of the corporate framework from a legal base is still lacking in Britain. While



Rachel Caine: "still lagging?"

that outlook persists, clients may look with scepticism at lawyers' roles in business affairs.

What was clear to the lawyers surveyed was that the established system of training and qualification will change. "Articles can stay, but law firms must radically change," one participant said.

Do lawyers actually enjoy lawyering? The indications are that many of them do not, although the trappings of the legal lifestyle remain popular. Almost 10 per cent of the survey felt they would not remain in the law for the rest of their working lives, and many expected to spend no more than three years in a job during the next decade before moving on. As the economy slows down, it will be interesting to see whether that expectation is realised.

Copies of the report are available from Rachel Caine at Badenoch & Clark from the end of next week (071-583 0073).

INNS AND OUTS

Hooson's comeback

THE chambers of Lord Hooson, QC, at Dr Johnson's Buildings have been re-launched after the split in July when Geoffrey Robertson, QC, left with 30 other members and set up in a blaze of publicity and razzmatazz in Doughty Street.

Mike Essex, clerk to the Hooson chambers, admits the set recently had an intensive recruitment drive but it is back to strength. The emphasis of the chambers, known as the home of Rumpole because John Mortimer, though now a non-practising member, was there for many years, has shifted. "We are rather more criminal law-orientated than we were, and not quite so much civil liberties, as it was mainly the people doing that work who left," Mr Essex says.

Lord Hooson's team includes the QCs who stayed - Martin Thomas, Alex Carline and David Lederman - and a range of new juniors. The chambers are ready, Lord Hooson says, to "take on the full range of modern, common law work".

Rights in Mind

THE Law Centres Federation, the umbrella body for law centres, has linked up with Mind, the national association for mental health, to seek funding to develop the use of advocacy in psychiatric services. The two bodies are jointly applying for funding from the Mental Health Foundation on behalf of the Nottingham advocacy group, an unusual project working with psychiatric patients and encouraging them to pursue their rights in care.

If successful, the application will pay for a skilled advocate to become attached to the project. Ian Bynoe, director of Mind, says: "People detained in psychiatric institutions are often most vulnerable to having their legal rights ignored or abused. They need accessible, expert and independent advice and assistance."

Working at 90

ANNA Amphlett, a partner in Amphlett Chatterton, of southeast London, is no

ordinary solicitor. Admitted in 1925 and now 90 years old, she still goes to the office twice a week.

According to Theresa Grant Peterkin, a Withers partner and co-ordinator of the Association of Women Solicitors' "archives" project to collate historical information about women in the profession, Ms Amphlett is probably the longest-serving woman solicitor still surviving.

Mrs Grant Peterkin is sorting through some remarkable detail about the pioneer women solicitors of the Twenties and Thirties, assembled through interviews between association members and the profession's earliest women entrants.

A questionnaire forms the basis of the interviews and includes questions on education and university degrees, attitudes of women's schools to their careers, problems in obtaining articles and whether family connections helped. The premium paid for articles (about £300 in the Thirties), family attitudes to the women's careers and whether they ever experienced discrimination.

She says the interviews collected so far indicate that most of the women were almost irritated by the suggestion that there was anything special about them, and there are few signs of discrimination. She is glad to have begun the project while some of the earliest entrants to the profession are still living and hopes to have a book published on the subject.

Law Fair 1991

THIS year's Law Fair in London attracted 5,070 students and graduates, who met 91 organisations from all branches of the legal profession. Visitors ranged from sixth-formers to undergraduates from all degree disciplines, 52 per cent from universities and 24 per cent from polytechnics.

Next year, the fair will be at the Business Design Centre on March 14 and 15, and will be organised by London university's careers advisory service with the Law Society, the General Council of the Bar and *The Times*. Interested employers should ring Vivien Charvonia on 071-387 8221.

SCRIVENOR

Another hump in the road, but is it legal?

ALMOST all highways are dedicated to the public for their general use to pass over on foot, bicycle, horse, car or what you will, when you like. If it does not actually say so in Magna Carta, it is stated clearly enough in *Halsbury's Laws of England*: "A highway is a way over which there exists a public right of passage, that is to say, a right for all of Her Majesty's subjects, at all seasons of the year, freely and at their will to pass and re-pass without let or hindrance."

There is a general duty on the highway authority, usually the local council, to keep its highways in repair. Section 62 of the Highways Act 1980 also gives all authorities a general power to improve

their highways. But nobody could call road humps, springing up everywhere like a new and unpleasant disease, an improvement. The statute claimed as giving authority for road humps shows that the whole lot may always have been illegal. The local authorities may consequently be at risk on the ground that to obstruct a highway is actionable as a public nuisance.

It is not surprising that nobody has noticed this or sued a local authority for obstructing roads with humps. There would be a need to show some special damage.

Of course, everybody would expect a local authority to act under the authority of Parliament, no matter how mis-

guided it was in thinking that humps would result in improvement for anybody other than the residents of the road (who benefit from less traffic noise and more privacy).

Where I live on the outskirts of southwest London, the already too few, too narrow, badly repaired and worse constructed minor roads have been and are being encumbered with humps. In many roads, they appear at intervals of only a few yards, constructed like the Loch Ness Monster, so that my speed, in a rather low-shug car, is restricted to less than 10mph.

In a borough where the roads cannot maintain any reasonable flow of traffic at peak periods, the flow is further reduced, at considerable expense to the residents and to the frustration and fury of the overtaxed, rarely considered motorist.

When I asked a council officer why, I was told it was all in the cause of road safety. If cars can move at only 8mph, of course there is less chance that they will collide with one another with serious effect. The statutory exception intended to protect authorities from the possibility of legal action is in a schedule of the Transport Act 1980, which provided for the first time: "The Secretary of State may by regulations make such provision in relation to the construction and maintenance of road humps as appears to

him to be necessary or expedient in the interests of safety and the movement of traffic."

This is the licence given by Parliament to excuse a highway authority from an action for obstructing its highways. Surely, no secretary of state, thinking reasonably, could believe it to be necessary or expedient to place road humps in the interests of free movement of traffic.

Humps do no such thing. They also congest nearby roads with traffic wishing to avoid them. The act admits this in its next paragraph, emphasising the need to excuse what would otherwise be a highway obstruction. It states: "Where a road hump conforms to regulations under

paragraph 7... the road hump shall not be treated as constituting an obstruction to the highway but as part of the highway."

Of course, it can conform only if it assists the flow of traffic. It never does. It may be that road humps have hidden virtues and qualities I have not dreamed of. If so, the official to whom I spoke did not know of them.

On the Continent they are a rarity. Perhaps this is because of some thought that money spent to ease the flow of traffic should be used to build more and better roads, rather than to obstruct existing ones.

DEREK WHEATLEY
The author is a practising barrister and a QC.

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A Profession or a Business?

The Thatcher years have certainly left their mark on the legal profession. Among firms large and small, there has been a deliberate effort to become more competitive, more cost-conscious, and - in a word - more businesslike. As a result, the question arises: is the legal profession still a profession, or is it becoming a business?

"What," some may ask, "is really the difference?" True, the mark of the professional is that he or she owes a duty to the client and puts the client's interests - if it comes to it - even above their own. But surely in business, too, the customer has to be treated well if the enterprise is to prosper? The customer, it could be said, receives better treatment than the professional client: the absence of professional restrictions ensures greater efficiency, better service, and lower costs.

An unacknowledged struggle is taking place within the legal profession between professional ethics and commercial profitability. I hear about this struggle from both candidates and clients. Candidates complain they are under so much pressure to maximise their billings that the service they give their clients suffers. Or they feel obliged to overestimate their chargeable time. The firms, on the other hand, complain that fee-earners lack commercial understanding. "They do not seem to appreciate the need to bill at least three times their earnings. They think they're there simply to provide a service." This struggle for the soul of the profession continues, but the businessman's philosophy is winning.

Michael Chambers

INDUSTRY & BANKING

EUROPEAN LAWYER: SOUTH EAST

£245,000 + car
Lawyer, qualified on the Continent, ideally with hi-tech experience, to join legal department of international group.

SOLE LAWYER: NORTH LONDON

£35,000 + benefits
Experienced commercial lawyer to join a major multinational as sole lawyer for the UK. Must be fluent in French.

PRIVATE CLIENT PARTNERS

A certain movement is taking place in the private client world. We have several firms interested in expanding in this area.

FINANCIAL SERVICES: CITY

Excellent salary
Solicitor or barrister to join small management team of specialist financial services group to handle banking and finance work.

ENERGY: LONDON

Excellent salary
Exciting opportunity for young commercial lawyer to join a fast-growing independent energy company based in London.

OPPORTUNITY IN SHIPPING: GREECE

Tax-free salary
Opportunity for law graduate without previous shipping experience to join a team of management consultants to the shipping industry.

PRIVATE PRACTICE

Construction Lawyer: West End
Contentious and non-contentious construction law plus general commercial lit. 1-4 yrs qual.

Shipping Lawyer: City
Varied shipping lit: charterparty/bills of lading etc. Training given by this successful practice.

Company/Commercial: Hampshire
Sole, 27-33, for early p'ship with a successful, profitable and expanding firm. c£40,000 + car.

Property Litigation: City
2-6 yrs qual. Leading firm. To handle lease estates - hospitals to commercial/ind property.

Civil Litigation: East Midlands
Major firm seeks 1-2 yrs qual solicitor for varied and interesting commercial litigation.

Commercial Litigation: Oxon
Dynamic sol with 2-5 yrs' exp to join highly-regarded firm. Excellent partnership prospects.

Banking Law: City
Over 3 yrs qual solr. Project finance, MBOs, take-over finance, cross-border matters, etc.

Pensions: West Yorkshire
Highly-regarded commercial firm seeks specialist with 3 yrs' min exp. c£30,000 +

Commercial Property: City
1-3 yrs qual. Thriving property practice: varied clientele. Young solicitor with initiative.

Planning: Avon
Leading commercial firm seeks young assistant solicitor to join planning dept. £Atracive.

Pensions Law: Birmingham
Well-known, flourishing practice seeks 1-3 yrs qual solr. High-quality work for major clients.

Intellectual Property: Holborn
2-5 yrs qual. IP lawyer to join leading specialist practice. Some computer-related work.

London: 071 - 606 9371 (Fax: 071 - 600 1793) Manchester: 061 - 226 2122 (Fax: 061 - 226 2213)

LONDON

Tax
Highly profitable medium-sized practice with excellent City/institutional client base seeks senior tax lawyer for immediate partnership.

Employment
Leading City firm with excellent employment group seeks further lawyer with not more than 3 years' ppe for a challenging mix of contentious and non-contentious employment work. Top salary and benefits.

Private Client
Niche City firm with strong client base seeks senior Private Client lawyer to undertake mixture of tax, trusts and probate. Definite partnership prospects.

For further information in complete confidence, please contact Jonathan Macrae or Stephen Rodney (both qualified solicitors) on 071-405 6062 (071-354 3079 evenings/weekends) or write to them at Quarry Dougall Recruitment, 9 Brownlow Street, London WC1V 6JD.



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Legal Adviser
Expanding North Sea Operator

Marathon Oil is a major international integrated oil and gas corporation with a strong and growing presence in the North Sea as operator of the Brae fields. Approval for the development of the East Brae field has recently been granted. We need a Senior Legal Adviser to join our committed team of legal professionals at our Head Office in London.

Your responsibilities will expose you to all legal aspects of the oil and gas business, from exploration and development to production. This will encompass both London corporate issues and Aberdeen operations, and liaising at a senior level with joint-venture partners and our colleagues in the U.S.

You should be a qualified Solicitor or Barrister with 4-5 years' Commercial Law and oil and gas experience and, ideally, knowledge

of licensing, unitisation, joint operating agreements, transportation, oil and gas sales and development contracts. Familiarity with Marine, Corporate and Tax Law would be advantageous. Beyond this, you should be flexible, motivated and an excellent communicator.

In return for your ambition and ability, we can offer a highly attractive salary and benefits package as well as the promise of a rewarding career working on large-scale, exciting projects that require your involvement from start to finish.

Please write with a full CV, to Mark Waters, Marathon Oil U.K. Ltd., Marathon House, 174 Marylebone Road, London NW1 5AL. Closing date for applications 11th January 1991.

Trainee
solicitors

£12-£14K

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For further information and a brochure pack, please contact Delia Mordaunt at Capsticks, 77-83 Upper Richmond Road, London SW15 2TT. Telephone 081-780 2211.

PRACTICE OUTSIDE LONDON

Opportunities in:
The Midlands & The South

Birmingham	Milton Keynes	Bournemouth/Poole	C'ford/Woking	E. Kent
Prof Ind £27K	Comm Lit £25K	Civil Lit £20K	Res Conv £18K+	Civ Lit £19K
1-2 Lit £27K	Co/Comm Tax £25K	Gen Lit £25K	Comm Lit £20K	Crim Lit £25K
Corp £30K	Co/Comm £25K	Co/Comm £25K	Gen Lit £20K	Civ Lit £18K
Comm Prop £27K	Comm Lit £28K	Co/Comm £25K	Crim Lit £25K	Gen Prac £18K
Construction £27K	Family £28K	Co/Comm £25K	Probate £18K	Co/Comm £24K
Agrie Prop £25K	Gen Lit £25K	Co/Comm £25K	Co/Comm £25K	
Pers Injury £27K	Agrie Law £25K	Co/Comm £25K	Croydon/Crawley £20K	Essex £22K
Debt Coll £16K	LP £25K	Co/Comm £25K	Comm Prop £20K	Gen Lit £24K
Probate £20K	Comm Prop £25K	Co/Comm £25K	Comm Lit £20K	Probate £24K
Pensions £20K	Comm Lit £25K	Co/Comm £25K	Crim/Civ Lit £24K	Gen Prac £24K
	Co/Comm £25K	Co/Comm £25K	Probate £20K	Matrim £25K
			Co/Comm £25K	
Matrim £25K	S'win/Winchester £25K	Co/Comm £25K	Thridge W/N Kent £20K	Herts/Beds/Bucks £21K
Civil Lit £25K	Matrim £25K	Co/Comm £25K	Co/Comm £25K	Res Conv £20K
Senior Civil Lit £20K	Gen Prac £25K	Co/Comm £25K	Co/Comm £25K	Matrim £25K
	Gen Prac (P/T) £25K	Co/Comm £25K	Co/Comm £25K	Crim Lit £25K
Northampton £25K	Civil/Crim £20K	Co/Comm £25K	Co/Comm £25K	Civ Lit £25K
Civil Lit £25K	Co/Comm £25K	Co/Comm £25K	Co/Comm £25K	Probate £18K
Co/Comm £20K	Probate £20K	Co/Comm £25K	Co/Comm £25K	

For more details on any of the above appointments, or the wide range of other vacancies for Solicitors, which we hold on our files, please contact Simon Egan or Simon Jones on 071 242 6221 (fax: 071 831 7121), alternatively, write to us, enclosing your CV, at 75 Gey's Inn Road, London WC1N 8US.

Personnel Resources

هكذا من الاعمال

PARIS FINANCE A UNIQUE CHALLENGE

Firmly established as a major force in the London finance market, our Client, one of the leading English legal practices, is now actively developing its Paris based banking and capital markets operation.

If you are an English qualified lawyer who combines thorough familiarity with the Paris financial market and a dynamic personality, this position represents a unique challenge with one of Europe's leading legal practices.

A key individual is required who, with the full support of the London office and resident French and English team, will service and develop further this aspect of the firm's practice.

The salary, benefits and partnership prospects will reflect the firm's commitment to this appointment.

For further information in complete confidence, please contact **Jonathan Macrae** on London 071-405 6062 (London 081-672 8340 evenings/weekends) or write to him at **Quarry Dougall Recruitment**, 9 Brownlow Street, London WC1V 6JD.



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THE REALLY USEFUL GROUP PLC THE LEGAL TEAM

Undoubtedly one of the world's most successful companies in the field of copyright exploitation covering theatrical, record, film and TV production and publication, The Really Useful Group Plc is strategically expanding into the entertainment and leisure industries.

Central to the Group's restructuring is the appointment of two talented commercial lawyers both with entertainment and ideally music experience.

The senior adviser will have a minimum of six years' experience, and the more junior a minimum of two. Both will liaise closely with the Director of Legal & Business Affairs as well as the heads of the theatre, music, TV, record and merchandising divisions, advising on a broad range of commercial and intellectual property issues and taking an active negotiating role.

The positions both offer outstanding opportunities to join a young highly successful entertainment group, exciting career prospects and excellent remuneration packages.

For further information in complete confidence, please contact **Jonathan Macrae** on 071-405 6062 (081-672 8340 evenings/weekends) or write to him at **Quarry Dougall Recruitment**, 9 Brownlow Street, London WC1V 6JD.



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LONDON

PLANNING - EC4 to £38,000
Leading City firm requires sol with 1-yr+ planning exp/ce (gained preferably in p/practice) to join friendly & busy team. You will be acting for a broad range of clients and be involved in exciting new projects.

EMPLOYMENT - WC1 £30,000
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INDUSTRY to £35,000
High profile role for exp/ced contracts lawyer to join small, very busy dept. You will work at Board level on high value contracts. Knowledge of computer law & LP. would be an advantage.

INDUSTRY c£30,000
Asst legal adviser required for small highly specialised legal dept. You will be responsible for substantial prof. indemnity and risk management caseload; co. law exp/ce would be beneficial. You will also gain some Co.Sec exp/ce.

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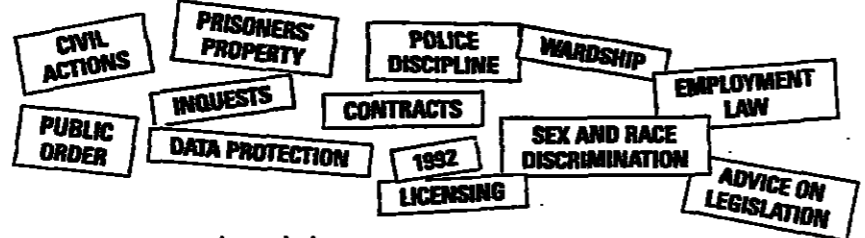
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Find out more - call Michelle Baker on 071-230 2398 for an application form.

Interviews will be held on 22 January 1991. Closing date for receipt of application forms is 14th January 1991.



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Effective legal advice is essential to our continuing success. You must, therefore be able to demonstrate the judgment and drafting skills that stem from a background within a commercial environment. This should be complemented by the ability to give accurate recommendations authoritatively, concisely and within set time constraints.

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C London To 50K
Our client is a leading oil and gas company moving from strength to strength internationally. An exciting vacancy has arisen within its legal department for a young lawyer (under 30 years) with an excellent academic background (min 2:1) and 2-4 yrs PQE. The appointee will handle a broad range of both "upstream" and "downstream" commercial work with an emphasis on negotiation, drafting and vetting commercial contracts and international joint ventures. The position also involves some corporate work, including acquisitions and disposals. The ideal candidate will have previous oil and gas experience gained in either industry or in private practice but candidates with good company commercial experience will also be considered. This company also offers the opportunity both to travel and work abroad in the Far East, Middle East and USA.

For further information please call or write to: **AMS**
or Karen Mulholland on
071-405 4571



Applied Management Sciences Ltd
26-28 Bedford Row,
London WC1R 4EJ
Fax: 071-242 1411
Eves: 071-858 7840

LEGAL ASSISTANT Position available early 1991

The London office of a leading multi-office American law firm requires a Legal Assistant in its International Corporate Department to handle corporate administrative work for multinational clients.

Excellent communication and organizational skills, and the aptitude to work on your own initiative and directly with clients are prerequisites for this position.

Experience in a law firm or commercial/financial law department preferred but not essential. The position would suit a mature, bright individual with P.A., administrative or secretarial experience or a graduate wishing to gain commercial experience. Training as needed will be provided.

Salary negotiable; overtime may be required and is compensated. Private medical insurance and 4 weeks holiday. Attractive and congenial West End work environment. Please apply in writing with full details of work experience to Box 2230. All applications will be treated in confidence.

COOLE AND HADDOCK

Top West Sussex firm with offices throughout the County seeks to strengthen and expand its litigation department.

The firm has a commercial bias and requires an assistant solicitor, one to three years qualified, for commercial litigation. Existing caseload including employment, consumer credit, landlord and tenant and contractual disputes.

In addition, we require an assistant solicitor one to three years qualified, who will in time head up the firm's matrimonial and family practice.

Prospects are excellent for a hard working and self motivated applicant. Remuneration is above average and will include pension scheme and annual bonus.

Apply to Mr. I. Sutherland, Coole and Haddock, 5 The Stables, Worthing, West Sussex. BN11 3DT (0903 213511).

PART-TIME: Probate position available in Brighton and vicinity to heart of East Sussex. Law Personnel - 071-242 1281 (24hrs).

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LEGAL APPOINTMENTS

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BURGES SALMON

PROPERTY LITIGATION

SENIOR APPOINTMENT

Burges Salmon is one of the leading commercial firms in Bristol and the South West and is a member of the Norton Rose M5 Group.

The firm, undergoing continued expansion, seeks an experienced solicitor to join their thriving Property Litigation Department. The challenging range of work will relate to all aspects of contentious property law and, in particular, business tenancies and security enforcement.

Applicants should be solicitors with probably four years' or more qualified experience and a strong academic background. The successful candidate will be expected to contribute to management and supervision within the department.

A competitive salary and genuine prospects are on offer in one of the most attractive cities in the country.

For further information please call Paul Millward on 0272 226164 or write to him at Reuter Simkin Limited, Recruitment Consultants, Broad Street House, Broad Street, Bristol BS1 2HW.

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PARTNERS ET AL.

Often misused, the terms "niche" and "boutique" justly apply to our client. Pre-eminent among firms specialising in personal-injury disputes, it is renowned for the exceptional quality of its work, typically involving very serious injuries and not infrequently test cases.

The firm is currently looking to build on its success by strengthening the defendant side of its personal-injury practice. Experienced specialists in this field are therefore sought – or perhaps a team of specialists – either with a following or the ability rapidly to generate new instructions.

Opportunities exist both in the firm's established offices in central London and in the South West where additional premises are soon to be opened. Excellent rewards are offered in terms of both quality of work and remuneration. For the right candidates partnership will be shortly available.

For further information please telephone Philip Boynton, LL.B., LL.M., on 071-405 6852 or write to him at Reuter Simkin Limited, Recruitment Consultants, 5 Bream's Buildings, Chancery Lane, London EC4A 3DY.

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This busy section of large, thriving company/commercial department in City practice requires bright assistant solicitor with c.2 years' City experience to assist blue-chip clients. The work ranges from Eurobonds to capital markets to joint ventures. Need to be alert, keen and hard-working, for which the rewards are excellent.

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Amanda Prince - Permanent
Sarah Jordan - Locum
Amanda Boyd - Paralegal
Clare Tattersall - Manager

SOLICITORS

LITIGATION AND

COMMERCIAL

PROPERTY

NEW ZEALAND

Our client, a leading New Zealand law firm with offices in both Auckland and Wellington, is seeking solicitors to join their Auckland office. Vacancies exist for intermediate and senior solicitors in both their Litigation (including Industrial Relations) and Commercial Property Departments.

This is an opportunity to join a progressive team oriented firm with a commitment to ongoing training and career development. Support and in-house systems are second to none, salaries are at the top of the scale and prospects are good.

Ideal candidates will have a very sound academic record, proven technical abilities, highly developed interpersonal skills, a strong desire to succeed and high energy levels. Partners from the firm will be available to interview on 3rd or 4th January 1991. Applications close 17th December 1990.

For further information please apply in strict confidence to Ruth Foreman, Australasian Temp Company, Phone (071) 600-1709 or send resume and academic record to 4th Floor, 128-129 Cheapside, LONDON EC2V 6BT.

MANAGER D.T.P.

£18,000

Prestigious City law firm is seeking a Manager for their D.T.P. department. Supervising a small team, you will design and schedule production, liaise with senior staff and write and produce reports. Age 25 plus, graduate calibre and in-depth knowledge & experience of VENTURA essential.

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Applicants should have extensive knowledge and experience of the practice of Magistrates' Courts and knowledge of management techniques required to administer a busy court.

The Bench has nearly 400 Magistrates and there is a staff of over 130, 16 Courts sit each morning and afternoon.

Applications marked "Confidential, Clerk to the Justices Appointment", and giving full details of qualifications and experience and the names of two referees should reach me no later than 31st December 1990.

J.E. PEARSON, OBE, LL.M., CLERK TO THE COMMITTEE
Magistrates' Courts, Dale Street, Liverpool L2 2JQ

City/West End

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COMMERCIAL LITIGATION c.£40,000

There are openings for able and ambitious solicitors, admitted around two years, in the broadly based commercial litigation department of this prestigious City practice. A good academic record, with at least a class 2:1 degree, is a prerequisite. The caseload will embrace a wide range of commercial and commercial disputes which may include insurance and re-insurance, employment, professional negligence, construction, property and insolvency.

Out of London

PARIS

The Paris office of an internationally respected City practice seeks an additional young solicitor to handle a stimulating mixture of EC and company/commercial law. Fluent French, intellectual drive and the confidence to assume responsibility in this challenging environment will be important attributes.

FRANCE

SHIPPING

Prominent North of England practice requires a Shipping solicitor for primarily dry work. Ideally applicants will have up to 5 years pge. The successful applicant will enjoy a first class quality of life.

£ ATTRACTIVE

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Thirty speculative job applications arrive on Sharon Mulrooney's desk every day. She is the personnel officer at CBS Records UK, and although these are quality applications, which she puts on file and consults when there is a vacancy, many are extremely unbusinesslike.

The record industry contributes to the invisible earnings of the UK balance of trade and is far from the candyfloss industry portrayed in the tabloid newspapers. It has picked itself up from the hard times of the early Eighties: singles sales are improving after a steady decline, and they remain a vital marketing medium for "breaking" new bands. The compact disc is booming and new formats — CD singles and cassette tape singles — hold promise. Companies are diversifying into video, film, television and theatre, and the strategy appears to be paying off. Record sales have not felt the slump quite as much as other retail sectors.

Record companies provide jobs for 9,000 people, half in manufacturing and distribution, the rest in marketing and administration. The industry is indirectly responsible for the employment of 50,000 people in related fields — 15,000 in record stores, 1,000 in recording studios, as well as producers, publishers and journalists.

The six leading record companies — Polygram, CBS, EMI, Virgin, WEA and BMG (RCS) — sell two-thirds of the industry's

Working for a record company may sound like a glamorous job, but it is also extremely competitive, requires dedication, and must be backed by a sound business sense, Derek Morgan says

output. High-flying business types aim to succeed make it with a large company, although independent companies take a significant slice of the market.

Ms Mulrooney says CBS is keen to promote internally, but for most entry-level jobs, for example in promotion and sales, "we would look for people from a smaller label. You have to have the contacts." She came to CBS after two years in hotel personnel management.

Foot-in-the-door jobs as a way in can work, but she recommends a realistic approach. "People do make it from secretary to head of the press office, but they are exceptional cases," she says. "You have to develop other skills to get promoted."

"Being articulate and able to

present yourself is important. It is an image business and you have to be able to sell the product, whether to your colleagues or to journalists."

Although casual dress may be acceptable once you are employed, formal wear is recommended for job interviews and when meeting clients.

The rock business inevitably has glamour, but Ms Mulrooney stresses the need for commitment. "A lot of work is outside normal working hours. You could be up until 2am, but you need to be back at your desk at 9.30am. The laid-back image is deceptive. It is a ruthless, hard-working industry and 'business' is the key word."

Malcolm Buckland, the general manager at the independent Rough Trade Records (Galaxie 500, The Sundays, Mazzy Star), agrees. "Meeting artists on a regular basis is glamorous, but essentially it is about doing a job. You have to be accountable and contribute to company profitability."

Music is a close-knit business. Staff frequently move between record companies and the trade paper *Music Week* runs an appointments column. Musical Chairs, independent labels can be a stepping stone, but Mr Buckland has worked for large and independent companies and believes a career can be carved out away from the multinationals. However, he acknowledges that salaries are lower in independent companies. "We could not match the perks package, company cars and



Neil Martin, the product manager at CBS: singles are selling better after years of declining sales, and are still vital for new bands

expense accounts," he says. But there are advantages. "Everybody feels closer to the performer. Somebody in accounts could have as much contact with a band as an A & R [artists and repertoire] person."

Companies receive lots of speculative applications. "Gimmicky efforts do not do anything for me," says Ms Mulrooney, who looks for a well-presented curriculum vitae and a good covering letter. "If you want to show your creativity, attach some cuttings and artwork to your CV," she says.

Enthusiasm for the music helps, but it is not enough. Mr Buckland says: "If we want a financial controller, our decision is not conditioned by the fact that one of the candidates is a fan of The Smiths [the band's gold discs line

the walls of Rough Trade's boardroom]. However, if we had two equal candidates, and one was enthusiastic about our band roster, they would have the edge."

The largest companies are based in London, but some independent companies operate successfully elsewhere, such as Kitchenware in Newcastle, and Factory Records in Manchester, the city described as the current UK pop capital.

The British Phonographic Industry (BPI), the industry association, has 150 record company members, including specialist independent companies such as Cooking Vinyl (world music), Greensleeves (reggae) and Conifer and Hyperion (classical).

Jeremy Silver, the publicity director at the BPI, says that record industry management is

about taking risks. "You can invest a lot in a band and it might not take off," he says. Only one in ten singles makes any chart impact, but this hit or miss element is, he says, "the excitement that makes the industry tick."

To improve training, the industry is giving £1 million to Britain's first performing arts and technology school, at Selhurst, south London, which recently launched its student admission programme for the opening term, in September 1991. The curriculum places equal emphasis on business management and technical and performance aspects, and students will be able to raise money through their own record label.

The HNC Business Studies (Music Management) at West

Lothian college is a full-time, one-year course covering record company administration, publishing and artist management. Project topics include The One-Hit Wonder, and Hype or Aggressive Marketing? Students at the college also have their own record company.

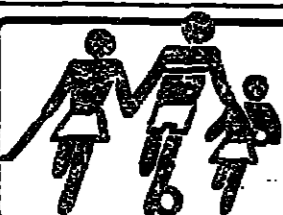
The course has won endorsement from Elton John, Gordon Campbell, the course tutor, says: "The business side can be as creative as the music itself."

Performing Arts and Technology School, PO Box 418, Croydon CR9 2EX. West Lothian College of Further Education, Marjoriebank Street, Bathgate EH48 1JQ. Salford College of Technology offers a BA in Popular Music and Recording. Adelphi Building, Peru Street, Salford M3 6EQ.

071-481 1066

PUBLIC APPOINTMENTS

071-481 1066



Chiltern Leisure

LEISURE MANAGEMENT

Head of Operations/DSO

Package to c. £32,000 + Relocation, Housing Assistance, Healthcare, Pension and Staff Nursery

Local Government is entering a new era of competition for the right to directly manage its Leisure facilities in the face of bids from commercial organisations. Here at Chiltern Leisure we have for many years operated on a Commercial basis, and the Council is committed to winning the competitive tendering process. We have restructured the Department and established this new post to head all Operations and the Direct Services Organisation (DSO). To succeed you will need:

- 6/10 years post qualification, (e.g. D.M.S., I.L.A.M. Diploma, Professional Accountancy)
- Senior Management experience in either the Public or Private Leisure/Business Sectors.
- proven operational and staff management experience and skills.
- proven financial and commercial management, administrative, budgetary and quality control skills.
- experience in the preparation and implementation of strategic facility management, business and marketing plans.
- commitment and enthusiasm to take on board the demands of CCT/in-house Service Agreements.

Manager - Chiltern Pools
Package to c. £27,500 + Relocation, Housing Assistance, Healthcare, Pension and Staff Nursery

We are seeking a mature, qualified (I.L.A.M./BPM Diploma, or equivalent) and experienced commercially orientated and technically competent Leisure Manager to lead a team committed to winning the CCT Contract for this exciting facility and developing its use cost-effectively to provide for the leisure, educational, fitness and competitive needs of the community. (please quote ref: 82101)

ASST MANAGER - Chesham Leisure Centre

Package to c. £18,500 + Relocation, Housing Assistance, Pension and Staff Nursery.

We are seeking a mature and experienced Assistant Manager to join the successful team at this comprehensive leisure facility which was opened in 1989 and has been very well received by the local community. The successful candidate will be responsible for the efficient operation of the dry site facilities to meet our customers' needs. We are looking for:

- 2/3 years supervisory experience
- Management and motivational skills
- proven track record in marketing, promotion and selling in a leisure environment.
- administrative and budgetary control skills.
- commitment and enthusiasm to take on board the demands of CCT.
- management qualifications, e.g. I.L.A.M./BPM etc.
- prepared for shift and weekend working.

(please quote ref: 82111)
For application forms and further details, contact Personnel Section, Chiltern District Council, King George V Road, Amersham, Bucks. HP8 5AM. Tel: Amersham (0494) 729000 ext 2132 or (24 hour service) on 0494 431382 or for an informal discussion, contact Tom Chiltern, Chief Leisure Officer, ext. 2264.

Closing date 7 January 1991

London starting salaries to £29,000 +
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If they knew that you know how good you are... they wouldn't want you to read this ad.

Not all good managers get the chance to prove their mettle because many organisations simply don't have the structure, the culture or the opportunities that make them conducive to fostering talent. So you just carry on, doing the best you can under ambition-stifling conditions. But there is an alternative.

A Fast-Stream career with the Home Civil Service will give you the room you want to manoeuvre, and the opportunities you need to grow.

Fast Stream is exactly what it says, a 'fast stream' carrying people with ability and drive forward to the most senior levels of management.

You'll be given immediate responsibility... for planning initiatives or implementing change or directly advising Ministers. So you'll start at management level, and as you prove yourself, take your place among our top executives. No two jobs are alike, so the possibilities are endless.

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will have given them an appreciation of how government works. In addition a lively awareness of social, political and economic developments and their effects is essential.

Your Grade 7 salary in Central London will be in the range £24,641 to £34,301 including performance-related increments. Most posts are in a variety of Government Departments in London, but there may be opportunities elsewhere, including Cardiff. Relocation assistance may be available.

Please write for full details and an application form (to be returned by 9 January 1991) to Civil Service Commission, Alexon Link, Basingstoke, Hants RG21 1JB, or telephone Basingstoke (0256) 468551 (answering service outside office hours). Please quote ref: A91/651/152.

The Civil Service is an equal opportunity employer



FAST STREAM

FINANCIAL

FINANCE AND COMMERCIAL DIRECTOR

Salary Package negotiable—£40,000

This Board level post offers a challenging opportunity to establish a responsive Finance and Commercial Directorate within the newly formed Aintree Hospitals Unit. The Unit incorporates Walton and Fazakerley Hospitals, totalling over 1500 beds with plans already underway to consolidate services on one site.

The budget for the Unit is around £50m and the Unit employs almost 4000 staff.

You will have a strong influence in Information Technology, Contracting and Planning and be capable of developing wider management responsibilities over time. Suitably qualified, with senior financial management experience in a large organisation, you should preferably have experience in the public sector, including the NHS, but this is not essential.

The package offered includes substantial base salary, performance related pay, relocation expenses, lease car, a pension scheme and a range of other benefits.

Informal enquiries are welcomed by David Wood, General Manager, on 051-529 2201.

For further information contact Graham Hewitt, Director of Human Resources, Walton Hospital, Rice Lane, Liverpool L9 1AE. Tel. 051-529 4887. Closing date for applications is 31st December 1990.

AINTREE HOSPITALS UNIT SOUTH SEFTON HEALTH AUTHORITY



WORKING TOWARDS EQUAL OPPORTUNITIES

PCfc

THE POLYTECHNICS & COLLEGES FUNDING COUNCIL
DIRECTOR OF INFORMATION SERVICES

SALARY UP TO £32,500 (plus performance pay of £5,500)

The PCFC is responsible for distributing more than a £1 billion of public money to the polytechnics and colleges in its sector.

As Director of Information Services you would be responsible to the Secretary of the Council for the effective collection, management and dissemination of the information which the Council needs to discharge its functions.

You will be directly responsible for the information systems, statistics, and external relations units, including relations with the press and media. But you will also be involved, as a senior member of the management, in formulating and implementing Council policies and practices.

You must have professional or relevant qualifications, several years' experience as a user of information systems, and at least two years' experience in managing the production and publication of information at a senior level.

Finally, you must be aware of the strategic influences affecting Higher Education.

The Council is presently located in central London but will relocate to Bristol in June 1991.

For further particulars, and an application form, please write to Marilyn Marshall at:

The Polytechnics and Colleges Funding Council
Metropolis House
22 Percy Street
LONDON W1P 9YF
or ring her on 071 637 1132

The closing date for applications is Friday 21 December.

Director of Finance and Administration c.£30,000 + performance-related pay Epsom

The challenging and exciting changes currently taking place in the NHS have prompted individual hospitals and units to review — and in many cases restructure — the way they manage and deliver their services. Our service is no exception. We have recently created an executive board which will implement radical new approaches to care delivery.

As a key member of the new board, the Director of Finance & Administration will make a decisive contribution to these developments. Initially, your priority will be to re-organise the finance function to meet the needs of the new structure; you will also be involved in policy formulation and strategic planning.

You must be a qualified accountant with an impressive record of achievement which encompasses the management of change. You will be used to operating at (or near)

board level in a large commercial or public-sector organisation where the use of sophisticated financial control and reporting systems is already well established.

A performance-related pay scheme will ensure that your achievements are recognised and rewarded. Salary is supported by a range of benefits including a superannuation scheme. Success in this role will provide an excellent platform for further career development.

For an informal discussion about this post, please contact Richard Moore, Unit General Manager, on 0372 727811 ext. 4201. For further details and an application form, please write to Unit Personnel Department, West Park Hospital, Horton Lane, Epsom KT19 8PB, or ring 0372 727811 ext. 4206.

Closing date for applications: 21st December 1990. We are an equal-opportunity employer.



MID SURREY HEALTH AUTHORITY

MENTAL ILLNESS UNIT



Association of County Councils

HEAD OF INFORMATION AND COMMUNICATIONS £35,120 - £38,844

The Association represents and advocates the interests of county councils in England and Wales. We wish to appoint a skilled and experienced person to the new post of Head of Information and Communications.

The key task will be to ensure that the Association's policies are effectively presented to the media, pressure groups and the public; and to member councils.

The work will involve management of a small team dealing with media relations, publications, information and research, parliamentary monitoring and liaison, member county communications and conference and seminar organisation. There will also be close working with senior elected members.

For this key post we are looking for someone with appropriate professional experience, political understanding and management skills, who is committed to local and county government. The ability to project the strengths and achievements of county councils is essential.

Further details are available from the Head of Office Management and Personnel, Association of County Councils, 66a Euston Square, London SW1W 9RE. Telephone 071 285 1200.

Closing date for applications is 31 December 1990.

The Association is an Equal Opportunities Employer.

